

- SB 138** **INMATE SEARCHES (Eklund, J.)** To authorize a corrections officer to cause a body cavity search to be conducted, to establish separate rules and restrictions for conducting strip searches, and to limit the right of any person to commence a civil action for a violation of the law governing body cavity searches and strip searches to violations related to body cavity searches. (1st Hearing-Sponsor)
- SCR 6** **EXTRADITION (O'Brien, S.)** To urge the President of the United States, the United States Secretary of State, and the Congress of the United States to compel Brazil to extradite Claudia Hoerig to stand trial for the aggravated murder of her husband, Major Karl Hoerig, and to request that the United States terminate foreign aid payments to Brazil if Claudia Hoerig is not extradited. (1st Hearing-Sponsor)
- SCR 10** **GAULT DECISION (Thomas, C.)** To recognize 2017 as the fiftieth anniversary of In re Gault. (1st Hearing-Sponsor)
- SB 171** **PROTECTION ORDERS (Hottinger, J.)** To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (1st Hearing-Sponsor)
- House Aging & Long Term Care (Committee Record) (Chr. Arndt, S., 644-6011), Rm. 122, 2:30 p.m.
- **Presentation from Dr. Robert Applebaum of the Scripps Gerontology Center: "Policy Does Matter: Continued Progress in Providing Long Term Services and Supports for Ohio's Older Population"**
- HB 286** **PALLIATIVE CARE (LaTourette, S.)** To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care. (2nd Hearing-Proponent-Possible substitute)
- House Public Utilities (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 116, 3 p.m.
- HB 239** **SECURITY RESOURCES (Smith, R., Carfagna, R.)** To allow electric distribution utilities to recover costs for a national security generation resource. (6th Hearing-All testimony-Possible amendments)
- Senate Health, Human Services & Medicaid (Committee Record) (Chr. Burke, D., 466-8049), South Hearing Rm., 3:15 p.m.
- **Confirmation hearing on governor's appointments of Joshua Cox, Benjamin Fields and Megan Marchal, State Board of Pharmacy; Michael Gonidakis, State Medical Board and Robert Schuerger, II, Ohio Athletic Commission**
- HB 145** **CONFIDENTIAL TREATMENT (Huffman, S., Sprague, R.)** To provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency. (1st Hearing-Sponsor)
- SB 143** **DAY DESIGNATION (Eklund, J.)** To designate September 25 as 'International Ataxia Awareness Day' in Ohio. (2nd Hearing-Proponent)
- HB 111** **MENTAL HEALTH COMMITMENTS (Carfagna, R., Ryan, S.)** To authorize certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination. (2nd Hearing-Proponent)



Event Planner

Sunday, October 1

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (5:15-6:15pm: Welcome Reception & Hall of Fame Tours; 6:15pm-8:15: Program & Dinner; 8:20pm-10:00pm: Live Music with the Four Keeps; 10:00pm: After Party Reception at the M-Bar)

Sen. Bob Peterson (R-Sabina) fall fest fundraiser, Peterson Farm, 5564 Grassy Branch Rd., Sabina, 4 p.m., (\$25 per Person or \$50 per Family to Peterson for Good Government)

Monday, October 2

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (10:30am: Golf Outing Start (registration begins at 8:30am); 1:00pm: First Ladies Library Tour (registration begins at 12:00pm); 2:00pm: President McKinley Museum Tour (registration begins at 12:00pm); 3:00pm-4:00pm: OLBC Cookout/Reception at the National Historic Clearview Golf Course)

Lobbyist and Employer Activity & Expenditure Reports for the May-August 2017 reporting period are due

OHROC Chairman's Cup golf outing fundraiser, Virtues Golf Club, 1 Long Drive, Nashport, 9 a.m., (9:00am Registration; 10:00am Shotgun Start. Event Host: \$5,000; Event Sponsor: \$2,500; Tee Sponsor: \$1,250; Foursome: \$1,000; Individual Golfer: \$250; Reception Only: \$100 to OHROC)

Tuesday, October 3

Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

Wednesday, October 4

Sen. Troy Balderson (R-Zanesville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Troy Balderson for State Senate and Citizens for Stephanie Kunze) Rep. Anne Gonzales (R-Westerville) cigar fundraiser, Lexi's, 100 E. Broad Street, Columbus, 4:30 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Anne Gonzales)

Thursday, October 5

Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Lane, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Event Sponsor | \$400 per Team | \$200 Tee Sponsor | \$100 per Golfer to Matt Huffman for Ohio)

Sen. Louis Terhar (R-Cincinnati) fundraiser, Schilderink residence, 9675 Cunningham Road, Cincinnati, 6 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

Sunday, October 8

**Sen. Steve Wilson (R-Maineville) family picnic, Warren County Armco Park, 1223 OH-741, Lebanon, 1 p.m.
Republican gubernatorial candidate forum, Genoa Baptist Church, 7562 Lewis Center Rd., Westerville, 7 p.m., (Sponsored by Citizens for Community Values and Salem Media of Ohio)**

Tuesday, October 10

**Rep. Niraj Antani (R-Miamisburg) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Niraj Antani)
Rep. Jeff Rezabek (R-Clayton) and Rep. Nathan Manning (R-North Ridgeville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Rezabek and/or Manning for Ohio)
Sen. Matt Huffman (R-Lima) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Matt Huffman for Ohio)
Sen. Kevin Bacon (R-Columbus), Sen. Troy Balderson (R-Zanesville) & Sen. Joe Uecker (R-Loveland) fundraiser, Athletic Club of Columbus, Lounge, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Citizens for Kevin Bacon or The Committee to Elect Joe Uecker)
Sen. Matt Dolan (R-Chagrin Falls) and Sen. Jay Hottinger (R-Newark) fundraiser, Athletic Club of Columbus, Parlors A&B, 136 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of Matt Dolan Or Citizens for Hottinger)**

Wednesday, October 11

**Rep. Thomas West (D-Canton) fundraiser, Dempsey's, 346 S. High St., Columbus, 8:30 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Team West)
Rep. Terry Johnson (R-McDermott) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Terry Johnson for State Rep)
Rep. Steve Huffman (R-Tipp City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 12 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Steve Huffman for State Rep)
Rep. Ron Young (R-Leroy Township) fundraiser, Athletic Club of Columbus - Parlor D, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Friends of Ron Young)
Rep. Tim Ginter (R-Salem) fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Special Guest Former Speaker Bill Batchelder. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Tim Ginter for State Representative)**

House Minority Leader Fred Strahorn (D-Dayton) fundraiser, Elevator Brewery and Draught Haus, 161 N. High St., Columbus, 5 p.m., (Sponsor levels: Sponsor: \$2,500, Host: \$1,000, Guest: \$500, Friend: \$350 to Committee to Elect Fred Strahorn)

Sen. John Eklund (R-Chardon) fundraiser, Lexi's on Third, 100 E. Broad St., Columbus, 5 p.m., (\$2,500 Event Chair | \$1,000 Event Host | \$500 Event Sponsor | \$350 Individual to Friends of John Eklund)

Sen. Lou Terhar (R-Cincinnati) fundraiser, Fleming residence, 2374 Brixton Road, Columbus, 5:30 p.m., (\$2,500 Event Sponsor | \$1,000 Sponsor | \$500 Host | \$250 Couple | \$200 Individual to Friends of Lou Terhar)

Friday, October 13

OSBA Law & Media Conference, Ohio State Bar Association, 1700 Lake Shore Dr., Columbus, 9:30 a.m., (Registration at 8:30 a.m. For more information contact Halle Malcomb, hmalcomb@ohiobar.org)

Tuesday, October 17

Republican Senate Campaign Committee pig roast fundraiser, Land Grant Brewery, 424 W. Town St., Columbus, 5 p.m., (\$10,000 Whole Hog Sponsor | \$5,000 Half Hog Sponsor | \$2,500 Loin Sponsor | \$1000 Bacon Sponsor | \$500 per Attendee to RSCC)

Rep. Michael Sheehy (D-Oregon) fundraiser, Club 185, 185 E Livingston Ave., Columbus, 5:30 p.m., (Sponsor levels: Sponsor \$1,000, Host \$500, Friend \$350 to Committee to Elect Michael Sheehy)

Rep. Adam Miller (D-Columbus) fundraiser, Capital Club, 41 S. High St., Columbus, 5:30 p.m., (Sponsor \$1,000, Supporter \$500, Attendee \$250 to Miller for Ohio)

Wednesday, October 18

Sen. Peggy Lehner (R-Kettering) fundraiser, Athletic Club of Columbus, Gold Room, 136 E. Broad St., Columbus, 7:30 a.m., (\$2500 Event Chair | \$1000 Event Host | \$500 Event Sponsor | \$350 Individual to Citizens for Lehner)

Sen. Sandra Williams (D-Cleveland) fundraiser, Einstein's, 41 S High Street, Columbus, 7:30 a.m., (Platinum Sponsor - \$1,000; Gold Sponsor - \$500 or Suggested Contribution - \$350 to Friends of Sandra Williams)

Rep. Steve Arndt (R-Port Clinton) fundraiser, deNOVO, 150 S. High Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends for Steve Arndt)

Rep. Kathleen Clyde (D-Kent) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5 p.m., (Gold Sponsor \$2,500, Silver Sponsor \$1,000, Bronze Sponsor \$500, Supporter \$250 to Kathleen Clyde Committee)

Rep. Glenn Holmes (D-McDonald) fundraiser, Dempsey's, 346 S. High St., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Committee to Elect Glenn Holmes)

Sen. Stephanie Kunze (R-Hilliard) fundraiser, Scioto Country Club, 2196 Riverside Dr., Columbus, 5:30 p.m., (Special Guest: Senate President Larry Obhof. Event

Sponsor \$1000, Event Host \$500, \$150 per couple, \$100 per individual to Citizens for Stephanie Kunze)

Thursday, October 19

Rep. Teresa Fedor (D-Toledo) fundraiser, Maumee Bay Brew Pub, 27 Broadway Street, Toledo, 4:30 p.m., (Friend: \$250; Host: \$500; PAC: \$1,000 to Citizens with Fedor)

Sen. Bill Beagle (R-Tipp City) shooting fundraiser, Vandalia Range and Armory, 100 Corp Center Drive, Vandalia, 5:30 p.m., (\$1,000 Event Sponsor; \$500 Lane Sponsor; \$100 per Person; \$50 Dinner only to Citizens for Bill Beagle)

Tuesday, October 24

Rep. Ryan Smith (R-Bidwell) fundraiser, Athletic Club of Columbus - Lounge, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$10,000; Sponsor: \$5,000; Host: \$2,500; Patron: \$1,000 to Friends of Ryan Smith)

Rep. Jack Cera (D-Bellaire) & Rep. Nick Celebrezze (D-Parma) fundraiser, Gresso's, 961 S. High St., Columbus, 7 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Friends of Nicholas J. Celebrezze and Jack Cera for State Representative)

Wednesday, October 25

Rep. Sarah LaTourette (R-Chesterland) and Rep. Theresa Gavarone (R-Bowling Green) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to LaTourette for Ohio and/or Citizens for Gavarone)

Rep. Teresa Fedor (D-Toledo) fundraiser, The Lounge at Latitude 41, Renaissance Hotel, 50 North 3rd Street, Columbus, 5:30 p.m., (Friend: \$250; Host: \$500; PAC: \$1,000 to Citizens with Fedor)

Thursday, October 26

Rep. Glenn Holmes (D-McDonald) fundraiser, Cimenero's Banquet Center, 123 N. Main St., Niles, 5 p.m., (Victory Sponsor \$1,400, Touchdown Sponsor \$700, Field Goal Sponsor \$300, Individual Tickets \$50 to Committee to Elect Glenn Holmes)

Sunday, October 29

Democratic gubernatorial debate, Greater Columbus Convention Center, 400 N. High St., Columbus

Ohio Democratic Party state dinner, Greater Columbus Convention Center, 400 N. High St., Columbus, (Featured speaker: Virginia Gov. Terry McAuliffe)

Tuesday, October 31

Rep. John Rogers (D-Mentor on the Lake) & Rep. John Patterson (D-Jefferson) fundraiser, Club 185, 185 E Livingston Ave, Columbus, 5:30 p.m., (Sponsor \$1,000,

Host \$500, Friend \$350 to Friends of Rogers and Committee to Elect John Patterson)

Wednesday, November 1

Rep. Emilia Sykes (D-Akron) & Sen. Vernon Sykes (D-Akron) fundraiser, Einstein's Bros. Bagels, 41 S. High St., Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Emilia Sykes Campaign and Sykes for Office)

Rep. Craig Riedel (R-Defiance) and Rep. Kristina Roegner (R-Hudson) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens to Elect Craig Riedel and/or Kristina Daley Roegner for Ohio)

Rep. Dave Greenspan (R-Westlake) fundraiser, Oliver's, 26 N. High Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Dave Greenspan)

Rep. Bill Seitz (R-Cincinnati) and Rep. Bill Blessing (R-Cincinnati) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,000; Sponsor: \$1,000; Host: \$500; Individual: \$350 to Seitz for Ohio and/or Citizens for Blessing)

Rep. Bernadine Kent (D-Columbus) fundraiser, Lincoln Cafe, 740 E. Long St., Columbus, 5:30 p.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Kent for Ohio)

Thursday, November 2

Rep. Steve Hambley (R-Medina) fundraiser, High & Low Winery, 588 Medina Road, Wadsworth, 6 p.m., (Special Guest President Larry Obhof. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Hambley for House Committee)

Wednesday, November 8

Rep. Mike Duffey (R-Worthington) and Rep. Laura Lanese (R-Grove City) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 Citizens for Duffey and/or Lanese for Ohio)
Sen. Cliff Hite (R-Findlay) fundraiser, Club 185, 185 E. Livingston Ave., Columbus, 5:30 p.m., (\$2,500 Chair | \$1,000 Host | \$500 Sponsor | \$350 Attendee to The Committee to Elect Cliff Hite)

Tuesday, November 28

Rep. Scott Ryan (R-Newark) fundraiser, Pub Mahone, 31 E. Gay Street, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Scott Ryan)

Wednesday, November 29

Rep. Michele LePore-Hagan (D-Youngstown) fundraiser, Einstein Bros. Bagels, 41 S High Street, Columbus, 8 a.m., (Sponsor \$1,000, Host \$500, Friend \$350 to Michele Lepore-Hagan for State Representative)

Rep. Scott Lipps (R-Franklin) fundraiser, Due Amici, 67 E. Gay Street, Columbus, 11:30 a.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Scott Lipps)

Ohio House Republican Organizing Committee fundraiser, Athletic Club of Columbus - Gold Room, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to OHROC)

Rep. Jim Butler (R-Oakwood) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Butler for Ohio)

Thursday, November 30

Rep. Derek Merrin (R-Monclova Township) fundraiser, OHROC, 21 W. Broad Street, Floor 7, Columbus, 11:30 a.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Derek Merrin)

Tuesday, December 5

Rep. Gary Scherer (R-Circleville) fundraiser, Ringside, 19 N. Pearl Street, Columbus, 5 p.m., (Special Guest Rep. Ryan Smith. Chair: \$1,000; Host: \$500; Sponsor: \$350 to Friends of Gary Scherer)

Wednesday, December 6

Rep. Kirk Schuring (R-Canton) fundraiser, Athletic Club of Columbus - Parlor A/B, 136 E. Broad Street, Columbus, 5 p.m., (Chair: \$2,500; Host: \$1,000; Sponsor: \$500 to Citizens for Schuring Committee)

Wednesday, February 28

Ohio Cable Telecommunications Association Legislative Luncheon, Renaissance Hotel, 50 N. 3rd St., Columbus, 12 p.m.

Monday, June 4

Ohio Cable Telecommunications Association Golf Outing, The Lakes, 6740 Worthington Rd., Westerville

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OHIO REPORT FRIDAY, SEPTEMBER 29

Grading The State Report Card: Experts, Policy Makers Weigh In On How Ohio Assesses K-12 Education

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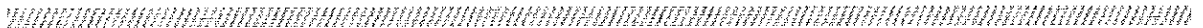
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Attorney General's Opinion

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Volume #86, Report #189 -- Friday, September 29, 2017

Grading The State Report Card: Experts, Policy Makers Weigh In On How Ohio Assesses K-12 Education

From confusion and frustration to hopefulness and enlightenment, the responses to state report card grades released this month have run the gamut.

Schools and parents around the state have largely dismissed the rankings, which have dropped significantly since new standards were put in place a few years ago. Many have publicly criticized the grades, saying they're not rooted in reliable methods or just plain don't make sense.

A handful of education researchers and stakeholder groups, meanwhile, have released reports that rely on the report card data and tout its value in tracking trends. The analyses compare charter and traditional schools and gauge, among other things, how disadvantaged students are stacking up to their more privileged peers.

But, like them or not, report cards are here to stay. New federal K-12 laws continue to require states to assess students and schools as well as publish annual ratings.

So how then do policymakers and the K-12 community put an end to the report card frenzy that's become an annual occurrence since the state upped learning standards and moved to an A-F grading scale?

For some, the answer is to change how the bevy of school and testing data is presented.

Push For Change: Rep. Mike Duffey (R-Worthington) said he plans to introduce legislation and bring together a stakeholder group to overhaul report cards so that they no longer grade districts, but instead simply present information.

He said the goal is to fairly provide details of how schools are doing at educating students and quiet public distrust surrounding the current grading system.

"There seems to be an emerging consensus among superintendents and school boards of education and I think legislators are picking this up from the community and parents and from their own experience that report cards have been too volatile," Rep. Duffey said.

More than a dozen other states have instituted an A-F grading scale over the last few years. Like Ohio, many have put off handing out one overall grade to each district in an effort to ease into the change.

However, a handful may never get to that point in their reporting because of backlash to the grades. West Virginia, Alabama and Texas are just a few states debating how to move forward, according to reports.

Rep. Duffey said the public outcry in Ohio is already loud enough to require change, proving that parents and students think their schools are doing better than the report cards reflect.

Many districts, including wealthy suburban districts that were previously accustomed to getting As, have received Fs in a handful of categories over the past two years despite overall scores improving this year. Urban districts that have retooled their entire curricula and cultures say their progress isn't translating to higher report card scores.

"Parents are by and large siding with their school districts over the state, which means the state report card does not have the public's trust," he said. "When it doesn't have the public's trust, it fails to have value as a tool for the state."

The progress measure of the report card is the most-often challenged of the six graded components.

Rep. Andy Brenner (R-Powell), who chairs the House Education Committee, said its calculation needs changed because it is a zero-sum ranking, meaning districts can only score better each year if they're making more progress in relation to the progress other schools have made.

For example, students at Olentangy Local Schools saw growth on average, but their progress component score was an F because there wasn't as much growth as experienced by students at Rocky River City Schools, which received an A, he said.

"If everybody else is doing OK, then they can fall off and I'm not really sure that that's what we should do," Rep. Brenner said.

"I think we need to make sure that we're giving the data to the schools and districts so they understand what they need to do to improve the districts if they're capable," and the current grading formula doesn't always allow that, he said.

Data analyst Howard Fleeter with the Ohio Education Policy Institute said he's supportive of the data that's gathered to inform the progress component, but also suggested there could be a better way to grade it.

"When I was teaching, I thought that if every student was worthy of an A, every student should get an A," he said.

Having closely analyzed report card data, Mr. Fleeter said he's grateful for the wealth of information Ohio collects, which is much more than other states.

Over the years, it's helped him find data trends that can predict how students will perform in the future, reveal persistent learning gaps rooted in poverty, and determine how much it costs to educate different types of students, among other things, he said.

However, when it comes to how the state compiles the data to determine grades, Mr. Fleeter said there'd be no love lost on his part if the state threw out its A-F scale.

"I think that the data that is on the report cards is valuable. I am less of a fan of the actual letter grades," he said.

"I think one way you could defend the letter grades is to say, 'There is so much data that's out there. That regular person needs some sort of a shorthand way to make sense out of it and that's what the letter grades do.' The problem is that the letter grades also lead to some shame."

When the learning standards weren't as stringent and the A-F scale wasn't yet introduced, nearly 300 districts received the highest rating of Excellent on state report cards, according to Department of Education records.

Now that many of those same schools are receiving low marks on report cards, their morale may be down, Mr. Fleeter said.

Rep. Brenner suggested that the change in report card rankings could also have a negative economic impact on the state. He said it could signal to businesses looking to move to Ohio that students are less prepared than they were a few years ago when grades were good, even though districts, parents and many lawmakers don't feel that's the case.

"If you get Fs on the report card, would a major company like Amazon take a look at that?" he questioned.

Sen. Peggy Lehner (R-Kettering) said she'd be willing to take legislative action to change report cards, which is the only way modifications can be made. It has to be under the right circumstances, though, she said.

"I'm always open to looking to make the report card a better vehicle that gives us more accurate information and if that's the goal, yes. If the goal is we don't like the results, so let's get rid of the report card, I'd be much more concerned, frankly," said Sen. Lehner, who chairs the Senate Education Committee.

"We need to make sure that the report card is an accurate tool of assessment, but we do need to make sure that we also assess."

Reframing Report Cards: In an effort to stem the wave of concerns that come with every report card release, Superintendent of Public Instruction Paolo DeMaria has continually stressed that viewers should look outside the box.

The Ohio School Boards Association advises its members to do the same, said Damon Asbury, the group's director of legislative services. Board members are also encouraged to highlight their districts' non-academic accomplishments.

"It's an important measure, it tells us a lot of information, but it's not the only measure of how to judge your school district and its progress," he said of report cards.

To aid in the push to reshape thinking, ODE this year introduced a section on the individual grade card pages where districts can link to websites highlighting their successes.

Although the aim has been to reframe the general public conversation about report cards, superintendent DeMaria said the importance of the data they provide should still be at the forefront for policy makers.

"It does not paint a complete picture of what is happening in our schools and districts across the state, but it does paint a picture of what's happening academically to a certain extent and it is something that we should pay attention to," he said.

In a presentation before the Speaker's Task Force on Education and Poverty, he said report card results show a clear connection between economically disadvantaged students and poor academic outcomes. (See Gongwer Ohio Report, September 28, 2017)

They also show that a few schools with high concentrations of disadvantaged students are also high achieving, meaning that those students can learn under the right circumstances, he said.

"It allows us then to dig into this phenomenon that we're here to talk about and that is understanding the achievement gaps and acknowledging them," Superintendent DeMaria said of the assessment results displayed through report cards.

Sen. Lehner said there's also a lot that can be learned from new report card indicators showing how Ohio students scored on the ACT and SAT, which are included in the Prepared for Success measure.

The scores were "abysmally low and seem to track pretty well with some of the other data that we're seeing in the report card and that should give a lot of people pause that the report card, as clumsy as it may be, as lengthy as it may be, that it actually is telling us something that we need to really sit up and pay attention to," she said.

When the first report cards were released about two decades ago, they only showed what percentage of students were proficient on new state exams in core subjects, how many students were graduating and school attendance rates.

The report cards now include six components, ten measures and a handful of ungraded data such as financial information. It takes into account student scores on more than a dozen standardized tests.

The state's data collection to assess schools has come a long way, Mr. Fleeter said. So while report cards shouldn't serve as the sole arbiter of whether schools are preparing students for the future, it wouldn't be wise to dismiss them.

"Now we have the ability to disaggregate the data and look at different types of students and you can compare them and you really can understand what's behind things and where the problems are to a greater degree," he said. "People tend to not think about it, but we are lucky that we have all this information that's out there because we can understand better what we're doing well and what we're not as a state."

Governor Candidates Tout Qualifications At GOP Central Committee

Three of Ohio's four Republican gubernatorial candidates on Friday worked to sway a room full of party leaders on why they should top the ballot heading into the 2018 election.

Secretary of State Jon Husted, U.S. Rep. Jim Renacci and Lt. Gov. Mary Taylor each spoke before the GOP State Central Committee at a Columbus-area convention center. Attorney General Mike DeWine, also a candidate for the top executive office, was unable to attend.

Although Ohio Republican Party chairwoman Jane Timken remains adamant the party will not endorse to avoid tipping the primary scales, each statewide GOP contender was given the chance to appear before the committee.

Mr. Husted kicked off the remarks, touting his endorsements from pro-gun groups and his outreach through ten satellite call centers that have already made more than 20,000 calls.

"We outraised all candidates for this race," Mr. Husted said. "And you haven't seen anything yet. We're going to continue to build on that momentum and I'm really excited about it."

Emphasizing his efforts to streamline the business filing process and make his office self-sufficient, he positioned himself as a candidate who will follow through on his promises and thereby restore the faith of jaded voters who are frustrated with the system.

"I believe I can do the best job for you, that I can be the voice of the Republican party and the voice of the State of Ohio that will bring new ideas," Mr. Husted said.

Rep. Renacci, meanwhile, held true to his campaign strategy of painting himself as a Donald Trump-style outsider surrounded by candidates representing the status quo.

He struck a more conciliatory tone than his first television ad, however, giving some praise to Gov. John Kasich and stating that the party has "strong candidates." His TV spot released Thursday, the first of the campaign, blasted his three primary opponents as "Columbus fat cats."

Rep. Renacci described his background as a business owner who has created jobs and said voters are looking for a different type of candidate at the ballot.

"That's who I am," he said. "I'm an individual who hasn't spent my entire life in politics. That's the direction we need to take -- a little bit different vision."

Lt. Gov. Taylor emphasized her past election performance, including her status as the only Republican to win statewide office during the 2006 election when Democrats swept into office.

"We need a candidate in the general election who can win in November no matter what the political landscape looks like," she said. "And I win elections. Period."

She highlighted her tax and healthcare proposals, including her desire to eliminate Medicaid expansion, and pointed to her leadership of the Common Sense Initiative as a testament to her desire to curb government regulations.

Without naming names, she also seemed to downplay her rivals' fundraising strength and the advantage of Mr. DeWine's name recognition.

"People in our state, they choose our leaders," she said. "If money and a family name was all that mattered in races, Jeb Bush would be our nominee and Hillary Clinton would be our president today."

David Pepper, Ohio Democratic Party's chairman, in response called the Republican's primary gubernatorial race "one big race to the right."

"The Republican candidates are focused on nasty attacks against one another, while our Democratic candidates are focused on addressing the concerns of voters," Mr. Pepper said. "We've had 57 straight months of job growth trailing the national average, we're struggling to deal with the nation's worst opioid crisis and our public school system has fallen from fifth in the nation to 22nd. The Republican status quo isn't working for Ohio, and Democrats will represent change in 2018."

Other candidates seeking statewide office that addressed the group include Treasurer Josh Mandel, a U.S. Senate hopeful, Rep. Keith Faber (R-Celina), who's running for state auditor, and Rep. Robert Sprague (R-Findlay), a state treasurer candidate.

Endorsements: The group's endorsement policy review committee also recommended the party take no stance on Issue 1 -- the Ohio Crime Victims Bill of Rights -- or Issue 2 - the Ohio Drug Price Relief Act. The full committee accepted that recommendation with no discussion.

The Republican committee did officially endorse a pair of Ohio Supreme Court candidates: Judge Mary DeGenaro and Judge Craig Baldwin.

Judge DeGenaro, of the Seventh District Court of Appeals, and Judge Baldwin, of the Fifth District Court of Appeals, are running for seats occupied by age-limited Justices Terrence O'Donnell and Bill O'Neil.

In other business, the committee also appointed Katie DeLand to the 12th District seat formerly held by Becky Engel.

Portman, Brown Recommend Two Federal District Court Nominees

The state's two U.S. senators on Friday announced recommendations to fill two seats on the federal bench - and one could mean a change in Gov. John Kasich's cabinet.

U.S. Sen. Rob Portman (R-Terrace Park) and U.S. Sen. Sherrod Brown (D-Cleveland) have recommended Bureau of Workers' Compensation Administrator/CEO Sarah Morrison to fill a seat on the U.S. District Court of the Southern District of Ohio soon to be vacated by retiring Judge Thomas Rose.

The lawmakers also forwarded to the White House a recommendation that Fourth District Court of Appeals Judge Matt McFarland fill the seat on the same court vacated by Judge Gregory Frost.

"I am honored to be considered for the position of federal district judge, and I sincerely appreciate the support of Senators Portman and Brown," Ms. Morrison said in a statement. "As the approval process moves forward, I remain committed to serving Ohio's employers and injured workers at the Bureau of Workers' Compensation."

Sen. Portman said Ms. Morrison "enjoys sweeping support for this seat because of her breadth of experience in the public and private sectors, including her time as CEO of Ohio's Bureau of Workers Compensation."

Ms. Morrison, who would serve from Columbus, has led the BWC since May 2016 after joining the bureau in November 2012. Prior to that, she was a partner at Taft Stettinius & Hollister, LLP in Columbus.

She has a law degree from Capital University.

Judge McFarland, who would serve from the court in Dayton, was elected to the state appellate court in 2004 and reelected in 2010 and 2016. Prior to that, he served as a magistrate in the Scioto County Common Pleas Court Probate/Juvenile Division. He also served as an assistant prosecutor in Scioto and Licking counties and as special counsel in the attorney general's office.

He also has a law degree from Capital University.

"It is truly an honor to continue to serve the citizens of Ohio and if nominated by the president and confirmed by the Senate, I will work tirelessly to make Ohio proud in the administration of justice," he said.

Sen. Portman said Judge McFarland has "been a dedicated public servant in the state court of appeals."

"His esteemed reputation is well deserved and I am confident he will continue to distinguished service on the bench," he said.

Sen. Brown said in both cases he was proud to join his colleague in a bipartisan process and thanked both Ms. Morrison and Judge McFarland for their willingness to serve.

Both were recommended to the senators by a bipartisan advisory committee.

The recommendations will be vetted by the White House and the U.S. Senate Judiciary Committee before being considered by the upper chamber.

Senate Weighs Healthy Ohio Proposal, Looks At Submission Options

The Healthy Ohio Medicaid waiver proposal appears to be getting a new look by the Senate, but it's not clear if the chamber will vote to override Gov. John Kasich's veto or approach the effort another way.

The proposal, which was included in the previous budget and rejected by the federal Centers for Medicare and Medicaid Services, was included again in the current budget (HB 49) but vetoed by the governor.

The waiver has drawn questions as to whether it could gain federal approval due to the lack of flexibility the legislation would give the state in negotiating with federal regulators. Nevertheless, some officials say they are optimistic that the Trump administration would be more receptive to the plan than President Barack Obama's.

"I have had positive conversations with the administration in Washington about the Healthy Ohio waiver," Senate President Larry Obhof (R-Medina) said this week. "I look forward to additional conversations about that, whether the language that is currently pending in the override is exactly right or not, or if there's changes that we could make to that as separate legislation."

Sen. Obhof said the question of whether or not the Senate takes up the proposal would hinge on the continued debate over the Affordable Care Act at the federal level.

"I do anticipate that if the Medicaid expansion is here for the next few months, at some point we're going to re-evaluate the Healthy Ohio plan and whether to move ahead with the override or introduce additional legislation," he said.

The waiver request would allow the state to have certain Medicaid enrollees pay into modified health savings accounts, which would be used to cover co-pays. The state would also contribute to the accounts, with that money acting as a deductible. People who move off of Medicaid would then be able to use the money left over to cover insurance and other expenses

Some, including members of a Senate committee that discussed waivers this week, have said the current proposal might be too detailed and prescriptive, and would not allow the state to negotiate changes with CMS to earn approval. (See Gongwer Ohio Report, September 26, 2017)

In his veto message, Gov. Kasich said the proposal has already been rejected by the federal government once.

"The Administration shares the goal of expanding Ohio's flexibility in managing our Medicaid programs, and is committed to working with the General Assembly to seek achievable solutions that would accomplish this goal," he wrote. "Requiring Medicaid to seek an identical waiver for the Healthy Ohio Program would be duplicative and an ill-advised use of Medicaid resources."

Rep. Jim Butler (R-Oakwood), one of the architects of the proposal, said the state is still able to negotiate changes with CMS despite how prescriptive it is in code.

"In terms of flexibility in negotiations, there is absolutely nothing in statute that would prohibit changes being made and then being ratified by the legislature," he said in an interview.

Rep. Butler said the Senate should follow the House's lead and vote to override the veto. He said the intent was never to have the administration go to the federal government and say "take it or leave it" with what was passed by the legislature. Any changes requested by CMS could then be approved by the General Assembly.

"Anything to the contrary, I think, is an excuse for not submitting a waiver that would have meaning for our health care system and truly control health care costs," he said.

Abortion Totals Continued To Decline In 2016, State Reports

The number of abortions in Ohio continued its more than decade-long decline in 2016, falling to just above 20,000, according to figures released Friday.

The Department of Health reported a total of 20,672 abortions in the state in 2016, down about 1% from the prior year's total of 20,976.

Of those, 19,543 were obtained by Ohio residents. Since 2001, the annual decline has averaged about 900 per year, ODH said.

The abortion rate was 8.9 per 1,000 resident women ages 15-44, which was unchanged from 2015, the agency reported. There were 142 abortions by Ohio residents per 1,000 live births.

The number of abortions, which has been tracked since 1976, peaked at more than 45,000 in 1982.

Ohio Right to Life credited the decline to anti-abortion policies enacted at the state level.

"This report is further proof of how successful the pro-life movement has been in Ohio" Mike Gonidakis, the group's president, said in a statement. "This past year alone, we saw 304 lives saved from the pain and suffering of abortion. We continue to advance groundbreaking legislation to protect the unborn, and we thank Governor John Kasich and the Ohio General Assembly for their role in promoting a culture of life in Ohio. By enacting common sense and life-saving initiatives Ohio is protecting both mothers and their babies."

The group touted legislation it's currently pushing for in the General Assembly, including bills to ban abortions due to a Down syndrome diagnosis (HB 214, SB 164) and to ban "dismemberment" abortions (SB 145).

"The historic low of abortions reported today indicates that the culture of life we've strived for is becoming a reality," Mr. Gonidakis said. "That being said, Ohio Right to Life is whole-heartedly committed to fighting for the sanctity of human life, until the Abortion Report is unnecessary because there are no more abortions committed in Ohio."

NARAL Pro-Choice Ohio Deputy Director Jaime Miracle pointed to an increase in the number of non-surgical abortions, from 1,195 in 2015 to 3,818 in 2016. She said that showed the effects of a change by the U.S. Food and Drug Administration to allow for a one-pill dosage of a medication used in non-surgical abortions.

"The real story with this year's report is that Ohio women are accessing more affordable medication abortion at a rate closer to before Ohio law required physicians to use an outdated, less effective, more expensive protocol," she said in a statement. "When health care policy is shaped by science, not politics, women win. This report shows that the new FDA protocol allows women to access the health care they need and choose the abortion method that is best for them."

Ms. Miracle said Ohio's nine facilities were able to provide safe, legal and affordable abortions to more than 20,000 women in Ohio.

"Unfortunately, Governor John Kasich and his band of usual suspects have wasted the taxpayers' time and money in pushing illegal and immoral tactics designed to block access to abortion clinics," she said. "Since taking office, Governor Kasich has signed 18 restrictions limiting access to reproductive healthcare in Ohio. Everyone deserves access to safe, affordable reproductive health care, including abortion, in their communities and we will continue to fight to ensure this is the reality in Ohio."

Home Care Touted As Alzheimer's Dementia Option; Commerce Publicizes Medical Pot License Applicants

People suffering from dementia can receive support in their homes, allowing them to stay out of nursing facilities and assisted living longer, the House Speaker's Task Force on Alzheimer's and Dementia was told this week.

Joe Russell, executive director of the Ohio Council for Home Care and Hospice, told the task force that providing care for people in their own homes and communities is a quality of life issue.

Family caregivers often face a stressful and constant task of looking after loved ones with Alzheimer's and dementia, he said. Providing scheduled respite services and other in-home services can ease the burden on family members without them having to turn to institutional facilities.

Mr. Russell said the Department of Aging has explored a shared living service under the PASSPORT Medicaid waiver, which would allow a live-in caregiver to provide support in the senior's home. He said his group supports the concept but was concerned about the proposed reimbursement rates.

He said the state could also look at programs to allow for 24-hour in-home care for people with limited family supports. That could include a waiver that allows for personal care, homemaking and companion services provided by a live-in provider supplemented by home care aides in shifts, and monitoring technology.

"In the long run, this system would most likely be less costly than institutional care as well as provide an environment that is familiar and stable for the individual to help them remain part of their community for as long as their health allows them to do so," he said in testimony. "This arrangement would allow the individual to maintain their daily routines that are vital to their quality of life and overall health, as well as make it easier for interaction with family and friends in their community."

The task force also heard from Susan Dickey, who works with the Greater Cincinnati Area Chapter of the Alzheimer's Association. She discussed practice recommendations as part of the association's Quality Care Campaign.

"In the long run, this system would most likely be less costly than institutional care as well as provide an environment that is familiar and stable for the individual to help them remain part of their community for as long as their health allows them to do so," she said in prepared testimony. "This arrangement would allow the individual to maintain their daily routines that are vital to their quality of life and overall health, as well as make it easier for interaction with family and friends in their community."

She said the recommendations could be used as a foundation for evaluating clinical outcomes for care in the state.

Medical Marijuana Updates: The Department of Commerce Friday released information from the applications for cultivator licenses. The business entity and contact information forms for the 185 applicants for those licenses are now available online.

The DOC anticipates awarding cultivator licenses in November.

Earlier this week, the DOC announced that two universities - Central State University and Hocking College - had applied for laboratory applications. The department said it would accept applications from private testing laboratories between Nov. 27 and Dec. 8.

Addiction Recovery Advocates Rally; State Awards Behavioral Health Grants...

Advocates in the fight against addiction gathered at the Statehouse Friday in the annual Rally for Recovery, emphasizing the importance of family and community members in supporting people battling substance use disorder.

The event hosted by Ohio Citizen Advocates for Addiction Recovery featured advocacy groups and providers offering information about social supports for people with addiction. Those who received awards included Gov. John Kasich, who was recognized with the Recovery Ally Award for his work promoting policy to fight drug addiction and expanding Medicaid.

Tracy Plouck, director of the Department of Mental Health and Addiction Services, said the rally was a way to demonstrate the importance of supporting people battling substance abuse.

"This is an excellent opportunity to raise awareness about how many people around our state are actually living in recovery," she said in an interview. "They're in all neighborhoods, all communities, and recovery is possible. I think this is an opportunity to reduce stigma and show that it isn't just individuals who are living in recovery. It's families, it's neighbors, it's employers, everybody can come together and provide support."

Director Plouck said community supports are essential in helping people who start down the path to recovery stay there.

"Clinical services are increasingly available because of the Medicaid expansion and the changes that have occurred in the last few years, but the availability of different recovery supports is equally important, really," she said. "You can connect with sobriety, but you need supports in the community, you need to not feel isolated in order to sustain that recovery."

Speakers included Joe Smith, a father of three daughters who suffer from addiction, who said recovery takes more than one person.

"It takes the community to recover," he said. "Each one of us who recovers helps facilitate the recovery of others."

Behavioral Health Grants: ODMHAS announced \$6 million in grants this week for community mental health and addiction service providers. The funding was awarded on a first-come, first-served basis to certified providers who intended to initiate or expand workforce capacity through training, tuition reimbursement and loan repayment programs.

"Ohio, like the rest of the nation is experiencing challenges to recruit, retain and support, on a long term basis, our existing workforce in community behavioral health agencies," Director Plouck said in a statement. "These grants represent another step forward as we work collectively to build a highly-qualified workforce and significantly increase system capacity at a time when communities continue to face serious challenges with opioid addiction and mental illness."

The department sent award notices to 61 providers across the state, who were each eligible for one-time funding up to \$100,000.

Pharmacy Grant: The State Board of Pharmacy this week also announced it received a grant worth nearly \$400,000 from the U.S. Department of justice to fund a two-year pre-criminal intervention program to deal with prescription drug abuse.

The program will use data from the Ohio Automated Rx Reporting System to identify signs of prescription drug abuse and connect those people with drug treatment or other support services.

"The goal of the program is to prevent addicted individuals from entering the criminal justice system," Pharmacy Board Executive Director Steven Schierholt said. "By engaging early, we can direct individuals to treatment before they turn to illicit, and more potent, drugs such as heroin or fentanyl."

High Court Clarifies Record Sealing Law; Buckeye Institute Joins In Public Sector Union Case; Ohio Professor Nominated For Federal Judgeship...

A trial court is under no obligation to wait until the statute of limitations expires to seal the records in a case dismissed without prejudice, the Ohio Supreme Court ruled.

The decision authored by Justice Terrence O'Donnell resolves a conflict between the Fifth District Court of Appeals and the Eighth District Court of Appeals.

"Had the legislature intended for the applicable statute of limitations in a case dismissed without prejudice to expire before a trial court can seal a record under R.C. 2953.52(B)(4), it could have used the language it did in R.C. 2953.52(B)(3) regarding applications to seal records of DNA specimens. But it did not do so," he wrote.

The conflict was certified after James Dye of Pickerington had five misdemeanor charges against him dismissed without prejudice in the Fairfield County Municipal Court. He unsuccessfully sought to have the dismissal sealed by the trial court, a decision that was upheld by the Fifth District Court of Appeals, the high court reported.

Mr. Dye argued that both courts erred in determining that he was not eligible to have the records sealed because the statute of limitations had not expired.

The state, like Mr. Dye, argued that the statute is unambiguous. However, it said the language clearly makes him ineligible to have his record sealed until the statute of limitations expires.

Justice O'Donnell was joined in his opinion by five of his fellow members of the court, while Chief Justice Maureen O'Connor concurred in judgement only.

Union Case: The Buckeye Institute has joined a legal battle that could have major implications for public sector unions.

The group filed an amicus brief in the case of *Janus v. AFSCME*, which is currently before the U.S. Supreme Court.

Mark Janus, a child support specialist in Illinois, argues that being forced to pay agencies fees after opting out of his collective bargaining unit is a violation of his First Amendment rights.

"We are pleased that the Supreme Court will take up this crucial case to protect the First Amendment rights of public employees," President and CEO Robert Alt said. "Forcing employees to pay for speech with which they disagree and forcing them to pay fees to a union in order to keep their jobs is unjust and unconstitutional. We are confident that Mr. Janus will prevail and that the court will rule in favor of the First Amendment rights of all public employees."

Federal Judgeship: President Donald Trump has nominated Ryan T. Holte to serve on the bench of the U.S. Court of Federal Claims.

Mr. Holte currently serves as an associate professor of law and the director of the Center for Intellectual Property Law and Technology at the University of Akron School of Law.

He serves as general counsel, partner, and co-inventor of an electrical engineering technology company. He also worked as a trial attorney at the Federal Trade Commission, practiced law as an associate at Jones Day and clerked for a judge on the Eleventh Circuit Court of Appeals.

Federal Grant: An eight-state collaborative formed to combat the opioid crisis will receive a \$1 million federal grant to aid in its efforts, the high court announced Friday.

The Regional Judicial Opioid Initiative - comprised of Ohio, Illinois, Indiana, Kentucky, Michigan, North Carolina, Tennessee and West Virginia - was awarded the grant by the U.S. Department of Justice's Bureau of Justice Assistance.

"Our regional effort serves as a bridge connecting key leaders and staff from law enforcement, to courts, to treatment providers, to children services and other aid organizations," Chief Justice O'Connor said. "This grant will go a long way toward helping close the information, enforcement, services and treatment gaps that have allowed this epidemic to fester and grow."

Volunteers Honored: Fourteen individuals who lead tours at the Thomas J. Moyer Ohio Judicial Center were honored for their service by all seven high court justices during a luncheon, according to the court.

"Your knowledge and enthusiasm are appreciated throughout the building by the staff and the justices," Chief Justice O'Connor said. "I want you to know that. Those of us who work here, and you by extension, as being a face with many of the students that come into this building, are extremely proud of the building and proud of what you do for us in showcasing the building and this institution."

Judicial Candidates: The Board of Professional Conduct announced its 2018 schedule of seminars for judicial candidates.

Disciplinary Hearings: The Board of Professional Conduct also announced disciplinary hearings scheduled for October.

Borges Issues Warning After OEC Ruling; Dems Pile On Over ECOT Overpayments; Renacci Cancels NFL Ad

An Elections Commission ruling could drastically alter the landscape of elections in Ohio, a former chairman of the Ohio Republican Party said Friday.

Matt Borges, who is now working for the Yes on Issue 2 campaign, said the panel's Thursday decision to dismiss two complaints against the opponents of a November ballot measure could open the door for political campaigns to use LLCs as pass-through entities to avoid financial disclosures.

Dismissed were complaints that the opposition PAC, Ohioans Against Issue 2, intentionally hid the source of its fundraising and violated state campaign finance disclosure laws. (See Gongwer Ohio Report, September 28, 2017)

Both complaints filed by the Yes campaign centered on the idea that PhARMA, a trade association of the pharmaceutical industry, was used as a pass-through entity to conceal millions of dollars of contributions from the drug industry to the PAC.

"If they had to do some long-term damage to Ohio to get what they want, they had no problem with that," Mr. Borges said. "They have been trying to keep folks in the dark throughout this entire campaign."

But Dale Butland, a spokesman for the No campaign, said the letter of the law was followed.

"If Matt Borges and the Yes side believe that Ohio law should be changed, then they should go to the legislature and ask them to do that," he said.

Mr. Butland also said Mr. Borges complaint about the dismissal is emblematic of a campaign in a "death spiral."

"The reason that they are going to lose isn't because there hasn't been enough debates, it's not because our side is not following the law, it's because they have a lousy proposal that will do great damage to this state and its people," he said.

ECOT Overpayments: With the announcement Thursday that the Electronic Classroom of Tomorrow will be docked an additional \$19 million for overpayments, one gubernatorial candidate is calling for the school to be "expelled."

Betty Sutton called the school's proposed change in status to a dropout and recovery institution a "sham."

"A failing school shouldn't be allowed to teach at-risk kids just so it can continue to rip off taxpayers. When a school lies and cheats they should be expelled. It's plain and simple. If they can't do basic math, they should not pretend to teach Ohio's kids," the Democrat said.

"It is beyond ridiculous that a sham school that leads Ohio in dropouts would be designated a dropout recovery school. We need to make Ohio the opportunity state by providing a good education for our children and that starts with expelling ECOT."

A Department of Education audit found that ECOT last year over-reported the number of full-time students it enrolls by 18.5% (See Gongwer Ohio Report, September 28, 2017)

The online charter school has already been order to repay \$60 million from the 2015-16 school year.

Renacci Ad: Those watching the Cleveland Browns take on the Cincinnati Bengals this weekend will not be learning about U.S. Rep. Jim Renacci's gubernatorial campaign.

The Alliance Republican announced Friday that he has canceled a \$20,000 ad buy during the game in the wake of a growing number of NFL players using the National Anthem as a platform to protest what they believe is racial injustice.

"While the First Amendment clearly affords NFL players and officials the freedom to engage in this appalling behavior, having the right to do something does not mean it's the right thing to do. Throughout our nation's history, countless American men and women of all backgrounds and races have sacrificed deeply to protect and preserve the ideals that our nation and its flag stand for - and our National Anthem serves as a tribute to that sacrifice that we should honor, not disparage," he said.

"And while the right to speak and protest peacefully is a fundamental freedom that we as Americans enjoy, protesting the most sacred symbols of those freedoms is both sadly ironic and an inexcusable, offensive display of contempt for what our nation stands for."

Harbaugh Endorsement: Ken Harbaugh, who is seeking to oust U.S. Rep. Bob Gibbs (R-Lakeview), announced that the Communications Workers of America has endorsed his candidacy in the 7th Congressional District.

"I am honored to have this endorsement from CWA. Ohio workers are among the best in the world. We need to fight for fair trade agreements and give our hard-working men and women a level playing field on which to compete," the Democrat said. "Folks working full-time jobs can and should be able to support their families. CWA is fighting for these improvements and so am I."

Added CWA District 4 Vice President Linda Hinton: "Ken's education, military background, and the fact he has spent a life helping others, show the experience and character needed to make workers and working families a priority."

Agency Briefs: Ohio Minimum Wage Rising In 2018; OPSB; USDA; ODA

Ohio's minimum wage will rise to \$8.30 per hour next year, up about 2% alongside the rate of inflation, the Department of Commerce announced Friday.

The \$8.30 wage applies to non-tipped employees at businesses with gross annual receipts of more than \$305,000 per year. For tipped employees, the new minimum wage will be \$4.15 per hour.

The current minimum wage is \$8.15 for non-tipped employees and \$4.08 for tipped employees.

For people who work at companies with gross receipts below \$305,000, and for 14- and 15-year-olds, the minimum wage will be the federal rate of \$7.25 per hour.

The state increase stems from an increase of 1.9% in the consumer price index.

Public Utilities: The Power Siting Board will hold a hearing Dec. 5 to allow the public to voice views about a proposal by Vinton Solar Energy LLC to build a solar-powered electric generation facility in Vinton county.

The hearing will take place at 6 p.m. that day at the Vinton County Community Building in McArthur.

The proposed facility would include arrays of solar panels with a combined generating capacity of up to 125 megawatts. It would be located on 1,950 acres of leased land in Elk Township, and the facility would be connected to the grid through American Electric Power's nearby Elk substation.

The adjudicatory hearing in the case will be at 10 a.m. Dec. 15 at the PUCO offices in Columbus.

U.S. Department of Agriculture: The department will award a \$22,910 solid waste management grant to Mahoning County, U.S. Rep. Tim Ryan (D-Niles) announced. The money will help fund the county's solid waste management district's rural recycling education and awareness program.

"I am pleased to announce this federal funding for Mahoning County," Rep. Ryan said in a statement.

"When it comes to preserving our environment for our kids, like many other issues, change starts at home. I am encouraged to see state and local governments like Mahoning County continuing to lead the charge on sustainability education. This funding will give rural Mahoning County an important boost, and represents a crucial federal investment. As long as I am in Congress, I will continue to fight to bring these important funds back to Northeast Ohio."

Agriculture: Gov. John Kasich on Friday signed an executive order creating an emergency rule on inflatable amusement ride safety inspections related to a change in the biennial budget bill.

The measure (HB 49) eliminated the statutory inspection fee for rides and granted authority to the Department of Agriculture director to develop rules for the fee structure.

The emergency rule announced in the EO will fill the gap until ODO develops the final rules for the inspections.

Governor's Appointments

State Dental Board: Theodore T. Bauer, DDS of Columbus for a term beginning September 29, 2017, and ending April 6, 2021.

Dentist Loan Repayment Advisory Board: Jaime L. Darr, DDS of Massillon for a term beginning September 29, 2017, and ending January 28, 2019.

Ohio Expositions Commission: John R. Page of Lewis Center for a term beginning September 29, 2017, and ending December 1, 2020.

Gongwer Statehouse Job Market Updated

Gongwer's Statehouse Job Market has been updated. The update is available on the Gongwer website.

Subscribers interested in posting job openings on Gongwer's employment board can send job descriptions and other information to gongwer@gongwer-oh.com.

Attorney General's Opinion

No. 2017-032. Requested by Williams County Prosecuting Attorney Katherine J. Zartman. SYLLABUS:

A person may not serve simultaneously as prosecuting attorney of Williams County and member of a joint-county board of alcohol, drug addiction, and mental health services of a joint-county alcohol, drug addiction, and mental health service district of which Williams County is a part.

Supplemental Agency Calendar

Monday, October 2

Banking Commission, 77 South High Street, Room East B on the 31st floor, Columbus, 10 a.m.

Tuesday, October 3

BRAC & Military Affairs Task Force, Rickenbacker Air Guard Base, 7370 Minuteman Way, Columbus, 1 p.m.

Wednesday, October 4

Board of Building Appeals, Ohio Department of Transportation, District Three Office, Conference Room, 906 Clark Avenue, Ashland, 8:30 a.m.

Real Estate Commission, 77 South High Street, 22nd Floor, Columbus, 9 a.m.

Thursday, October 5

Power Siting Board, 180 E. Broad St., Room 11B, Columbus, 3:30 p.m.

Friday, October 6

Board of Building Standards, 6606 Tussing Road, Training Room 1, Reynoldsburg, 10 a.m.

Supplemental Event Planner

Tuesday, October 3

Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

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Click the  after a bill number to create a saved search and email alert for that bill.

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Daily Activity Planner for Saturday, September 30-Monday, October 2

Legislative Committees

Thursday, October 12

Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

Agency Calendar

Monday, October 2

Banking Commission, 77 South High Street, Room East B on the 31st floor, Columbus, 10 a.m.

Speaker's Task Force on Heroin, Opioids, Prevention, Education, and Safety, MetroHealth, Scott Auditorium, Cleveland, 1:30 p.m.

Event Planner

Sunday, October 1

Ohio Legislative Black Caucus 50th Anniversary events, Canton, (5:15-6:15pm: Welcome Reception & Hall of Fame Tours; 6:15pm-8:15: Program & Dinner; 8:20pm-10:00pm: Live Music with the Four Keeps; 10:00pm: After Party Reception at the M-Bar)

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Legislative Committee Schedules beginning 10/2/2017

Monday, October 2

Joint Committee on Agency Rule Review (Committee Record) (Chr. Duffey, M., 644-6030), Rm. 121, 1:30 p.m.

Tuesday, October 3

Senate Insurance & Financial Institutions (Committee Record) (Chr. Hottinger, J., 466-5838), Finance Hearing Rm., 9:30 a.m.

- Confirmation hearing on governor's appointment of William Sanderson, Ohio Housing Finance Agency

HB 52 **DEED SOLICITATION** (Rezabek, J.) To regulate the solicitation of certain deeds. (2nd Hearing-Proponent)

SB 120 **DEBT ADJUSTING** (Eklund, J.) Regarding debt adjusting (3rd Hearing-Opponent & interested party)

SB 121 **MAMMOGRAM COVERAGE** (Eklund, J.) To include tomosynthesis as part of required screening mammography benefits under health insurance policies. (2nd Hearing-Proponent)

SB 169 **TRAVEL INSURANCE** (Wilson, S.) To oversee the sale of travel insurance. (2nd Hearing-Proponent)

HB 199 **MORTGAGE LENDING** (Blessing, L.) To create the Ohio Residential Mortgage Lending Act for the purpose of regulating all non-depository lending secured by residential real estate and to limit the application of the current Mortgage Loan Law to unsecured loans and loans secured by other than residential real estate. (2nd Hearing-Proponent)

Senate Judiciary (Committee Record) (Chr. Bacon, K., 466-8064), North Hearing Rm., 10:15 a.m.

SB 195 **DOGS LAW** (Beagle, B.) To revise provisions of the Dogs Law governing nuisance, dangerous, and vicious dogs, to revise enforcement of that Law, and to establish a notification process regarding complaints of certain violations of that Law. (1st Hearing-Sponsor)

SB 196 **BULLYING** (Williams, S.) To create the offense of aggravated bullying, a third-degree misdemeanor. (1st Hearing-Sponsor)

SB 130 **FRANKLIN COUNTY COURT** (Tavares, C.) To add two judges to the Domestic Relations Division of the Franklin County Court of Common Pleas to be elected in 2018. (1st Hearing-Sponsor)

SB 150 **DOMESTIC VIOLENCE** (Brown, E.) To prohibit a person convicted of domestic violence or assault of a family member, or a person subject to certain protection orders, from having a firearm; to establish a procedure for surrendering all firearms in the person's possession; and to name the act the "Domestic Violence Survivors Protection Act." (1st Hearing-Sponsor)

- SB 138** **INMATE SEARCHES (Eklund, J.)** To authorize a corrections officer to cause a body cavity search to be conducted, to establish separate rules and restrictions for conducting strip searches, and to limit the right of any person to commence a civil action for a violation of the law governing body cavity searches and strip searches to violations related to body cavity searches. (1st Hearing-Sponsor)
- SCR 6** **EXTRADITION (O'Brien, S.)** To urge the President of the United States, the United States Secretary of State, and the Congress of the United States to compel Brazil to extradite Claudia Hoerig to stand trial for the aggravated murder of her husband, Major Karl Hoerig, and to request that the United States terminate foreign aid payments to Brazil if Claudia Hoerig is not extradited. (1st Hearing-Sponsor)
- SCR 10** **GAULT DECISION (Thomas, C.)** To recognize 2017 as the fiftieth anniversary of In re Gault. (1st Hearing-Sponsor)
- SB 171** **PROTECTION ORDERS (Hottinger, J.)** To increase the penalty that applies to the offense of violating a protection order under certain circumstances and to require electronic monitoring of those convicted of violating certain protection orders to be carried out by probation agencies. (1st Hearing-Sponsor)
- House Aging & Long Term Care (Committee Record) (Chr. Arndt, S., 644-6011), Rm. 122, 2:30 p.m.
- **Presentation from Dr. Robert Applebaum of the Scripps Gerontology Center: "Policy Does Matter: Continued Progress in Providing Long Term Services and Supports for Ohio's Older Population"**
- HB 286** **PALLIATIVE CARE (LaTourette, S.)** To create the Palliative Care and Quality of Life Interdisciplinary Council, to establish the Palliative Care Consumer and Professional Information and Education Program, and to require health care facilities to identify patients and residents who could benefit from palliative care. (2nd Hearing-Proponent-Possible substitute)
- House Public Utilities (Committee Record) (Chr. Cupp, R., 466-9624), Rm. 116, 3 p.m.
- HB 239** **SECURITY RESOURCES (Smith, R., Carfagna, R.)** To allow electric distribution utilities to recover costs for a national security generation resource. (6th Hearing-All testimony-Possible amendments)
- Senate Health, Human Services & Medicaid (Committee Record) (Chr. Burke, D., 466-8049), South Hearing Rm., 3:15 p.m.
- **Confirmation hearing on governor's appointments of Joshua Cox, Benjamin Fields and Megan Marchal, State Board of Pharmacy; Michael Gonidakis, State Medical Board and Robert Schuerger, II, Ohio Athletic Commission**
- HB 145** **CONFIDENTIAL TREATMENT (Huffman, S., Sprague, R.)** To provide for the establishment of a confidential program for the treatment of certain impaired practitioners and to declare an emergency. (1st Hearing-Sponsor)
- SB 143** **DAY DESIGNATION (Eklund, J.)** To designate September 25 as 'International Ataxia Awareness Day' in Ohio. (2nd Hearing-Proponent)
- HB 111** **MENTAL HEALTH COMMITMENTS (Carfagna, R., Ryan, S.)** To authorize certain advanced practice registered nurses to have a person involuntarily transported to a hospital for a mental health examination. (2nd Hearing-Proponent)

Wednesday, October 4

Senate Ways & Means (Committee Record) (Chr. Eklund, J., 644-7718), South Hearing Rm., 9 a.m.

HB 118 **PROPERTY TAX COMPLAINTS** (Merrin, D.) To expressly prohibit the dismissal of a property tax complaint for failure to correctly identify the property owner. (2nd Hearing-Proponent)

SB 186 **BUSINESS INCOME** (Peterson, B.) To provide that wages and guaranteed payments paid by a professional employer organization to the owner of a pass-through entity that has contracted with the organization may be considered business income. (3rd Hearing-Opponent & Interested party)

HB 69 **TIF DISTRICTS** (Cupp, R.) To require reimbursement of certain township fire and emergency medical service levy revenue forgone because of the creation of a municipal tax increment financing district. (4th Hearing-All testimony)

House Transportation & Public Safety (Committee Record) (Chr. Green, D., 644-6034), Rm. 017, 10 a.m.

- Presentations on autonomous and connected vehicles from Jonathan Weinberger, VP of Innovation and Technology for the Auto Alliance and Josh Fisher, manager state government affairs for Global Automakers

Tuesday, October 10

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 11 a.m.

- If needed
Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.
- If needed
Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.
- If needed

Wednesday, October 11


Senate Rules & Reference (Committee Record) (Chr. Obhof, L., 466-7505), Majority Conf. Rm., 11 a.m.

House Session (Committee Record) (Chr. Rosenberger, C., 466-3357), House Chamber, 1:30 p.m.

Senate Session (Committee Record) (Chr. Obhof, L., 466-4900), Senate Chamber, 1:30 p.m.

Thursday, October 12

Ohio Retirement Study Council (Committee Record) (Chr. Schuring, K., 228-1346), Rm. 121, 10 a.m.

NOTE: Click bill or resolution number links to see the legislative history compiled by Gongwer News Service. Click the  after a bill number to create a saved search and email alert for that bill. Click "Full Text" if present to view the text of legislation on the Legislature's Web site.

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Tuesday, October 3

Ohio Domestic Violence Network to recognize National Domestic Violence Awareness Month, Museum Gallery, Statehouse, Columbus, 9:30 a.m.

Wednesday, October 4

Sen. Troy Balderson (R-Zanesville) & Sen. Stephanie Kunze (R-Hilliard) fundraiser, Muirfield Village Country Club, 8715 Memorial Drive, Dublin, 8:30 a.m., (\$500 each committee to Troy Balderson for State Senate and Citizens for Stephanie Kunze)
Rep. Anne Gonzales (R-Westerville) cigar fundraiser, Lexi's, 100 E. Broad Street, Columbus, 4:30 p.m., (Chair: \$1,000; Host: \$500; Sponsor: \$350 to Citizens for Anne Gonzales)

Thursday, October 5

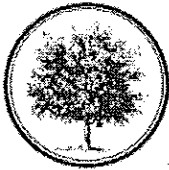
Sen. Matt Huffman (R-Lima) golf outing fundraiser, Hidden Creek Golf Club, 6245 Sugar Creek Lane, Lima, 9 a.m., (9:00am Registration | 10:00am Shotgun Start. \$1,000 Event Sponsor | \$400 per Team | \$200 Tee Sponsor | \$100 per Golfer to Matt Huffman for Ohio)

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October 3, 2017

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**The Buckeye Institute: Utility Subsidies
Hurt Competition and Hurt Ohio**

Columbus, OH - The Buckeye Institute's Greg R. Lawson testified (see full testimony below) today before the Ohio House Public Utilities Committee on the proposed bailout for the Ohio Valley Electric Corporation that is outlined in House Bill 239.

In his testimony, Lawson discussed the negative impacts government subsidies and bailouts can have. "When governments intervene in the energy market, or any business, policymakers allow for unfair advantages at taxpayer expense, and energy companies that do not receive the benefits of a government bailout are often unable to offer their services competitively."

Lawson went on, "Providing subsidies also negatively impacts the state's employment and economy. Similar to Ohio's renewables portfolio standards, which The Buckeye Institute **analyzed earlier this year**, this Ohio Valley Electric Corporation (OVEC) bailout will lead to lost job opportunities and wasted economic potential."

The Buckeye Institute isn't the only group to note the negative impact the proposed subsidies would have. The **Legislative Service Commission** estimated that the OVEC charge, if approved, would cost all Ohio electricity customers nearly \$257 million per year for the next 24 years.

On closing, Lawson urged policymakers to fully restructure Ohio's energy market saying, "For far too long, we have been caught in a strange hybrid where regulated investor-owned utilities retain generation capacity through affiliates, and utilities are able to use electric security plans to pile additional generation charges, like the proposed OVEC charge, on top of the market price. This has led to significant long-term problems where the market has not been allowed to be fully functional. Consequently, the promises of restructuring have only been partially fulfilled."

###

**Interested Party Testimony Submitted to the
Ohio House Public Utilities Committee on
House Bill 239**

**Greg R. Lawson, Research Fellow
The Buckeye Institute for Public Policy Solutions
October 3, 2017**

Thank you Chairman Cupp, Vice Chair Carfagna and Ranking Member Ashford for the opportunity to testify before the Ohio House Public Utilities Committee. My name is Greg R. Lawson. I am the research fellow at **The Buckeye Institute for Public Policy Solutions**.

The Buckeye Institute, a defender of free-market principles, has long supported economic growth through competitive means. Our position is that markets should be free from government subsidies or regulations that help particular businesses or industries.

Since the late 1990s, Ohio has moved toward competitive, customer-centric electricity markets. As electricity rates have risen across the country, Ohio and other states with restructured wholesale markets have enjoyed cheaper electricity due to a more competitive market. The deregulation of Ohio's market has increased competition and given consumers more choices and control over meeting their energy needs.

Unfortunately, it is not unusual for industries and businesses to ask governments for subsidies or bailouts, to pay for declining business. Bailouts, however, end up distorting economic activity and often slow long-term growth in the state. Worse still, "non-bypassable" riders require all customers to pay for the bailout through increased electricity bills.

When governments intervene in the energy market, or any business, policymakers allow for unfair advantages at taxpayer expense, and energy companies that do not receive the benefits of a government bailout are often unable to offer their services competitively. Subsidies can also inhibit new developments and technological advancements from entrepreneurial companies that do not receive special government backing, thus slowing long-term growth and innovation.

Providing subsidies also negatively impacts the state's employment and economy. Similar to Ohio's renewables portfolio standards, which The Buckeye Institute analyzed earlier this year, this Ohio Valley Electric Corporation (OVEC) bailout will lead to lost job opportunities and wasted economic potential. In looking at Ohio's renewables portfolio standards we found that even relatively small artificial increases in electricity prices cost Ohio tens of thousands of jobs and several billion dollars in GDP.[1]

In fact, the Legislative Service Commission's conservative estimate is that the OVEC charge, if approved as proposed, would cost all Ohio electricity customers nearly \$257 million per year for the next 24 years.[2]

Of equal concern, is the contagious nature of subsidies and bailouts. Joe Bowring, president of Monitoring Analytics, said in a recent interview, "If one owner receives special subsidies, it is the fiduciary duty of other unit owners to seek comparable subsidies." [3] Eventually, either everyone will receive a government subsidy or government will step back and allow customers and the market to decide who succeeds.

Subsidies also reward companies for poor choices and bailout companies that could have avoided their current crisis. While the companies involved in OVEC were involved in

something of a shotgun marriage during the Cold War, those unique national security issues have long since disappeared. Well after the Ohio energy market was restructured to be competitive, OVEC companies twice voluntarily extended the contract that now goes until June 2040. Allowing for ongoing subsidies is an example of moral hazard that effectively rewards questionable decisions and signals to other companies that they too can be made whole irrespective of the wisdom of their decisions.

Ultimately, Ohio needs a full restructuring in its energy markets. For far too long, we have been caught in a strange hybrid where regulated investor-owned utilities retain generation capacity through affiliates, and utilities are able to use electric security plans to pile additional generation charges, like the proposed OVEC charge, on top of the market price. This has led to significant long-term problems where the market has not been allowed to be fully functional. Consequently, the promises of restructuring have only been partially fulfilled.

Rather than continuing to move the market toward complete restructuring, the OVEC bailout runs the risk of preventing that policy from moving forward. This would be a missed opportunity to improve competition, lower energy prices for consumers, and strengthen Ohio's economy

Thank you for your time. I look forward to answering any questions from the committee at this time.

[1] Orphe Divounguy, PhD, Rea S. Hederman Jr., Joe Nichols, and Lukas Spitzwieser, *The Impact of Renewables Portfolio Standards on the Ohio Economy*, March 3, 2017.

[2] Fiscal Note and Local Impact Statement on House Bill 239 of the 132 General Assembly.

[3] R Street Shorts No. 40, "The Market Advantage: A Q&A with Joe Bowring," June 2017.

###

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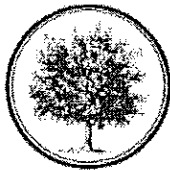
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Keeping the Power On, Rain or Shine

By Quinn Beeson
October 4, 2017

In the wake of several devastating natural disasters has come a greater appreciation for our ability to plug in wherever and whenever. As our focus is on those in need and without power in the wake of the recent hurricanes, as well as their families and countless volunteers, we can't help but also think of our own families and communities here in Ohio. Although not faced with any major natural disasters recently, many Ohioans still worry about keeping the power on, as we face uncertain **price hikes** due to subsidies meant to 'save' several failing coal and **nuclear power plants**.

To ensure low electricity prices, Ohio must create a competitive power market by restructuring the state's utility industry. This can happen if Ohio does two things. First, the major, regulated utilities need to sell their power plants to independent companies so that they don't control the production and distribution of electricity. Second, Ohio needs to eliminate government subsidies to energy companies and rely on market-based pricing.

A wholly **competitive energy market** does not work when regulated utilities receive government handouts. Healthy competition keeps prices low and encourages innovation, meaning wider services and more choices for Ohioans. In addition, a functioning competitive market makes sure that companies suffer the consequences of their poor decisions, rather than making hardworking Ohioans foot the bill.

Bailing out energy companies that make bad business decisions by making us, the taxpayer, cover their costs would be no different than the government making you eat at a restaurant that had terrible service and was going out of business just to keep it open.

Subsidies are essentially bailouts for failing power plants, paid for by Ohioans rather than the companies themselves. Subsidies for various coal and nuclear power plants will lead to a rise in your utility bills and will increase the burden on struggling families and businesses in Ohio.

The good news is, Ohio doesn't need these subsidies to succeed, just the opposite in fact. Our state is seeing new power plants being built that will generate power from **natural gas, solar, and wind energy**. The outlook for energy production in Ohio is increasingly sunny and politicians need to refrain from tampering with the market and endangering these new technologies.

When state or federal politicians intervene in the energy market by making tweaks such as requiring subsidies or burdensome regulation, they introduce more uncertainty and risk, which upsets the balance of the energy market, often shifting the costs into the laps of people like you.

There is large demand for power in today's world, and the widespread power outages due to recent natural disasters remind us of that. The best way to provide enough stable, cheap electricity to meet the high demand in Ohio and elsewhere is to keep politics out of the market.

As my colleague **Greg Lawson pointed out in testimony** opposing subsidies and bailouts for utility companies, "As electricity rates have risen across the country, Ohio and other states with restructured wholesale markets have enjoyed cheaper electricity due to a more competitive market. The deregulation of Ohio's market has increased competition and given consumers more choices and control over meeting their energy needs."

If Ohio is going to continue to grow economically it needs to have cheap and reliable energy for its businesses and its citizens. To achieve this, policymakers need to deregulate the state's energy markets, require regulated utilities to sell power plants so they don't control the production and distribution of electricity, and they need to eliminate government subsidies and bailouts to energy companies which force Ohioans to pay for bad business decisions.

It is time for Ohio's energy companies to compete fairly so we can keep the power on, rain or shine.

Quinn Beeson is the economic research analyst at The Buckeye Institute.

###

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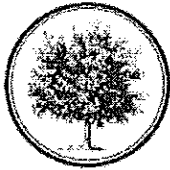
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New Buckeye Analysis of Ohio's Tax & Spending Policies Offers Guidance to 2020 Commission

Columbus, OH - Today, The Buckeye Institute released its latest policy brief, *Building a Better Future: An Analysis of Ohio's Tax and Spending Policies*, which looks at the tax and spending policies Governor John Kasich and the Ohio General Assembly have adopted since 2013 and their impact on Ohio's economic growth.

Using the macroeconomic dynamic scoring model, developed by economists at Buckeye's **Economic Research Center**, the analysis found that Ohio's tax and spending policies have helped:

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- Make Ohio families wealthier;
- Created nearly 7,000 more jobs;
- Raised personal income by \$500 million; and
- Saw Ohio's employment rates and economy outperform most of its regional competitors.

"Contrary to the arguments levied by opponents of tax reform, this analysis shows that the tax reforms implemented by Governor Kasich and the General Assembly have led to economic growth in Ohio," said Rea S. Hederman Jr., executive vice president at The Buckeye Institute and the head of Buckeye's Economic Research Center. "As they continue to study Ohio's tax policies, this analysis can serve as a guide to the 2020 Tax Commission, showing that instead of the failed policy of attempting to tax and spend Ohio to prosperity, further tax reform would keep the state on the path to greater economic growth."

Buckeye's analysis comes on the heels a long-awaited report from the **Ohio 2020 Tax Commission**. The commission was expected to offer guidance on where Ohio tax policy should go next. Unfortunately, the conclusions were limited and essentially called for additional study of Ohio's voluminous list of **tax expenditures** that result in a loss of more than \$9 billion in state revenues each fiscal year.

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Hederman continued, "As Buckeye's analysis makes clear, greater spending restraint and further tax reductions is the smart path for Ohio policymakers to take as they continue to reform the state's tax and spending policies."

Building a Better Future: An Analysis of Ohio's Tax and Spending Policies was authored by Dr. Orphe Pierre Divounguy, former economist with The Buckeye Institute's Economic Research Center, and Bryce Hill, a former economic research assistant with the Economic Research Center.

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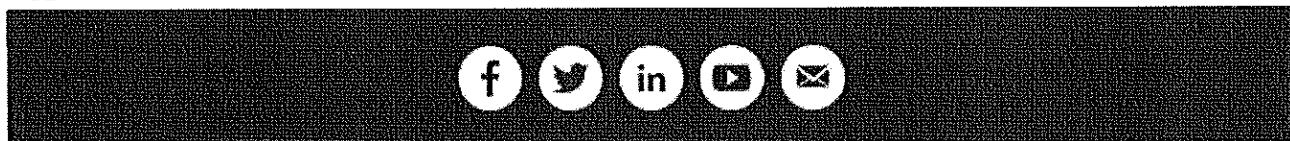
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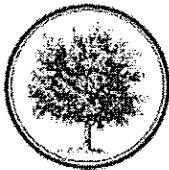
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Ohio's Budget Should Not be Left to Burn While Washington Fiddles with Healthcare Reform

By Greg R. Lawson

October 11, 2017

Ohio policymakers should not join those in Washington DC in acting like a modern day Nero who, at least according to myth, fiddled while Rome burned.

The expansion of Medicaid, to largely able-bodied adults, has clearly cost vastly more than what state leaders initially envisioned. As Medicaid spending, the **Pac-Man of the state budget**, continues consuming state resources, U.S. Senator Ron Johnson (R- WI) is **demanding answers** from the Kasich Administration on why the costs of Medicaid have blown up!

While finding a way to insure more Ohioans is an important policy discussion, the increase in Medicaid spending is impacting Ohio's ability to fund other priorities such as K-12 education, caring for Ohio's aging population, the construction of roads and infrastructure, an effective rehabilitation and correction system, and so much more.

This is one reason why Congress' failure to repeal and replace Obamacare is such a disappointment. Congress' lack of action is impeding Ohio's ability to reform its own Medicaid system, and if not reformed dramatically, will eventually not only be like Pac-Man, it will be like the fire that consumed all of Rome, leaving nothing for those worried about our future economic competitiveness or, most importantly, our children.

However, while members of Congress fiddle away on health care reform, Ohio policymakers can do something to avoid this financial train wreck -- *freeze the expansion!*

As our executive vice president, Rea Hederman, said of the budget prior to Governor Kasich's unfortunate line item veto:

"Ohio became the first state in the nation to call for a freeze on the Medicaid expansion population, which will focus the program on the truly needy and encourage able-bodied adults to return to work. Medicaid enrollment has exceeded forecasts on both enrollment and costs, and this budget will help make the program sustainable for the future."

Unfortunately, the General Assembly has so far failed to act on Governor Kasich's veto of the expansion freeze, which they can vote to override any time until the end of the legislative session in December of 2018.

According to recent news reports, State Representative **Rob McColley** (R-Napoleon) circulated a memorandum to fellow members of the Ohio House of Representatives highlighting numerous reasons for freezing the Medicaid expansion. Contrary to headlines that say the facts in the memorandum were "**dubious**," it is spot on.

Pushback from the Kasich Administration, and many of the healthcare providers, that stand to continue gaining billions from continuation of this policy, is deeply flawed. For example, the administration tries to refute the argument that spending on Medicaid is not out of control by asserting that Medicaid has come in under budget.

What the administration doesn't tell us is that Medicaid costs are clearly much higher than initially projected because the administration only expected **447,000** enrollees by

2020! By contrast, the latest actual enrollment numbers from the Ohio Department of Medicaid stands at **708,000**, or 58 percent over what Ohioans were told during the initial debate over expansion.

Further, the McColley memo makes clear that the enhanced federal share for the Medicaid expansion was subject to change. That is still true, just as The Buckeye Institute **said long before the expansion took place**. While it is still difficult to ascertain when the federal government will turn off the spigot, that it will happen is practically guaranteed. Further, the notion that Ohio will, under those circumstances, simply jump out of Medicaid expansion as described by the governor seems fanciful.

Consequently, none of the pushback from the administration should dissuade forward thinking legislators from stepping up the plate - something they already did when passing the budget at the end of June. While Medicaid waivers and other reforms are needed in addition to an expansion freeze, it is better to make a tough decision today than draconian one tomorrow.

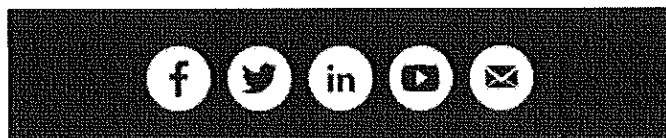
We cannot afford to be like Nero and fiddle while Medicaid burns through Ohio's budget and destroys the ability to do anything besides pay for Medicaid. This is not a long-term path on which Ohio should remain. Tragically, it is the path on which we presently, and perilously, tread.

Greg R. Lawson is the research fellow at The Buckeye Institute.

###

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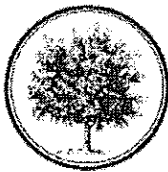
To: Rep48

Subject: Competition Will Save Taxpayer Dollars as Ohio Replacing Aging Water & Sewer Lines

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Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

October 12, 2017

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Competition Will Save Taxpayer Dollars as Ohio Replacing Aging Water & Sewer Lines

Columbus, OH - Today, The Buckeye Institute released its latest policy brief, *Competition Saves Taxpayer Money on Water and Sewer Line Repair*, looking at the importance of open bidding for water and sewer lines.

"Competition is the bedrock of free markets and forces companies to make better products and offer them for lower prices," said **Daniel J. Dew**, the paper's author and legal fellow at The Buckeye Institute. "When localities, or any government entity, spend taxpayer dollars they should be required to use those dollars prudently and ensure they get the best product

at the best price. In many communities, this is not happening and localities are spending more than is necessary on water and sewer infrastructure. To ensure this doesn't continue and to protect taxpayers from waste, fraud, and abuse, localities should implement an open bid process and consider all water and sewer materials that are deemed safe."

Ohio has aging water and sewer systems that are constantly in need of repair and many need to be replaced. Unfortunately, some localities are limiting competition by requiring the pipes be made of a more expensive material, when it would be in taxpayer's interest to consider all materials that are deemed safe. When governments impose regulations and ordinances that give any business or industry a competitive advantage, they negate the market incentives for industries to lower costs and provide better products.

A recent study found that Columbus, Ohio, which does not have an open bid process and mandates that only ductile iron be used for water and sewer replacement, paid nearly \$100,000 more per mile of pipe than nearby Delaware County which does have an open bidding process.

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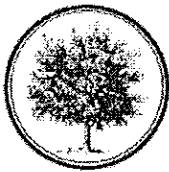
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From: The Buckeye Institute
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Subject: The Buckeye Institute: Reforming Ohio Tax System is Needed to Attract Businesses and Grow the Economy

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October 17, 2017

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The Buckeye Institute: Reforming Ohio Tax System is Needed to Attract Businesses and Grow the Economy

Columbus, OH -- Rea S. Hederman Jr., executive vice president at **The Buckeye Institute**, commented on the Tax Foundation's newly released *2018 State Business Tax Climate Index*.

"Today, the **Tax Foundation** released the *2018 State Business Tax Climate Index*, which ranks all 50 states by how well they structure their tax system. Unsurprisingly, Ohio ranks near the bottom of the barrel at 45 out of 50 -- the same ranking we have had for the past

two years. As Ohio stands still, other states are moving forward on tax reform which is a contributing factor to our **uneven labor market**.

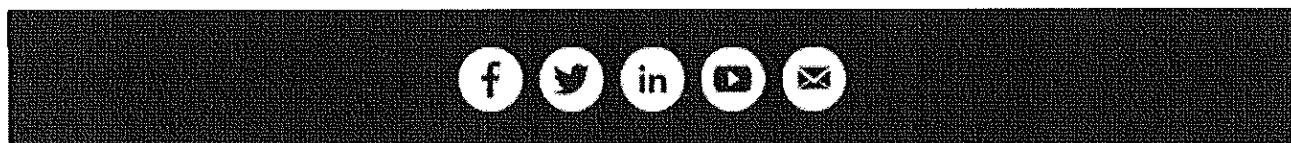
"There are two main strategies that Ohio should employ to attract business and shake off the low ranking. First, Ohio needs to get rid of business tax expenditures. These hurt businesses and job growth, and discourage investment. Second, Ohio should focus on broadening the tax base and lowering tax rates. Implementing these two strategies, and others we have outlined in our *Tax Reform Principles for Ohio*, will improve our tax climate and will make Ohio an economic engine in the Midwest."

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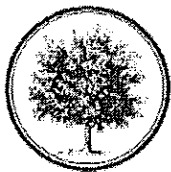
To: Rep48

Subject: The Buckeye Institute: Time for the Ohio General Assembly to Get Serious about Closing Tax Loopholes

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The Buckeye Institute: Time for the Ohio General Assembly to Get Serious about Closing Tax Loopholes

Columbus, OH - The Buckeye Institute issued the following statement on the inaugural meeting of Ohio's Tax Expenditure Review Committee.

"Today's meeting of Ohio's Tax Expenditure Review Committee is an important step in closing down the voluminous list of tax loopholes that riddle Ohio's tax code," said **Greg R. Lawson**, a research fellow at The Buckeye Institute. "As we outlined in our *Tax Reform Principles for Ohio*, every loophole creates an unfair special interest tax break that must be

paid for by fewer taxpayers, and once ensconced in statute, they become entrenched and immune to substantial scrutiny."

Lawson continued, "When Buckeye **first called for the creation of the review committee**, we, along with the Center for Community Solutions and the Greater Ohio Policy Center, identified **20 loopholes** that should have been closed, accounting for \$300 million in lost revenue. That figure pales in comparison to the estimated \$18.6 billion in lost revenue from the 129 loopholes outlined in the Office of Budget and Management's (OBM) fiscal year 2018-19 **Tax Expenditure Report**."

"While the recent reforms in Ohio's tax policy have **resulted in new jobs and improved personal income**, more needs to be done. It is now time for Ohio's General Assembly to get serious about shutting down tax loopholes and it is critical that they create a tax climate that is positive for job creation and helps hard-working Ohioans," Lawson concluded.

###

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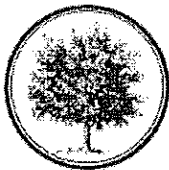
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Subject: Buckeye's Rea Hederman: Ohio Labor Market Bounces Back from Summer Doldrums

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Buckeye's Rea Hederman: Ohio Labor Market Bounces Back from Summer Doldrums

Columbus, OH -- Rea S. Hederman Jr., executive vice president at **The Buckeye Institute**, commented on newly released unemployment data from the **Ohio Department of Job and Family Services**.

"In September, the Ohio labor market bounced back from the summer doldrums, with the unemployment rate falling a tenth to 5.3 percent from 5.4, and the private sector created 10,500 new job opportunities. After a somber August labor report, the solid numbers from September are a welcome improvement with all indicators in positive territory, particularly

as revised August numbers increased total employment by 1,000. In addition, the labor force participation rate remained constant, which means that new people entering the labor market and those previously unemployed found jobs.

"However, the slow, steady Ohio growth is not keeping pace with the national numbers, as the gap between Ohio's unemployment and the national average (4.2 percent) has increased in the past year.

"Private sector job growth was led by strong gains in educational services (3,800), retail trade (3,300), and manufacturing (2,600). The sharpest decline was in financial activities (-2,400). The government sector neither added nor lost jobs as gains in state government (6,900) and federal government (300) were offset by losses in the local government sector (-7,200).

"Since September of 2016, Ohio's unemployment rate has increased slightly as more Ohioans entered the labor market, and, while the economy has experienced steady growth with 64,700 private sector jobs created in the last twelve months, job creation has not kept pace with these new workers. To reverse this trend, Ohio policymakers must continue on their course of **wisely resisting tax increases** to make up for a budget shortfall, and they must consider tax reform that eliminates **special interest deductions and loopholes** to lower tax rates."

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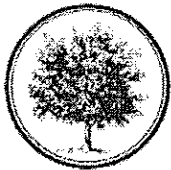
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Subject: What's hot right now? Issue 2 on Ohio's ballot, that's what

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Everywhere we go-oh, people want to know-oh....

So we tell them.... we at your Buckeye Institute are your #1 best resource for sound policy research, but unfortunately we do not advocate for or against individual candidates or ballot issues--no matter how many of them we suspect will have good or bad impact if they prevail (we follow politics, yes we do, we are not entirely nerdy wonks, how 'bout you?).

While we definitely evaluate the policies contained in the ballot issues, it is up to you to take our research and study the issues before determining which way to vote.

Oh, sure, we have opinions (adamant well-informed ones, too!), but our job is to serve as your first resource for objective independent policy research.

As a consolation prize, hot off the press is our just-released blog that Buckeye's national healthcare expert Rea S. Hederman Jr. posted today describing the policy implications involved with Issue 2 that Ohioans are considering on their ballots Tuesday, Nov. 7.

To help clear your conscience and make an informed decision, give the blog a close read, mark your calendars for November 7, and make your way to the polls next Tuesday to vote whichever way you think is right.

May the best candidates and policies win!

Getting Less for More: Ohio's Proposed Drug Price Control Policy (a.k.a. "Issue 2")

By Rea S. Hederman Jr.
October 30, 2017

Next Tuesday, Ohioans will decide whether to enact a policy that would create price controls for pharmaceuticals that are paid for by the state of Ohio. Advocates claim that these price controls can save the state of Ohio money. Opponents argue that these savings are dubious and price controls will create a host of other problems.

Price controls, whether for drugs, housing, gasoline or blueberries are bad policies. They distort the marketplace and create shortages. If price controls worked, socialist governments throughout history would not have seen their economies disintegrate and the supply of goods disappear.

Regrettably, price controls for drugs is not a new idea. Foreign countries around the world have imposed price controls at the cost of denying **citizens access to either new drugs** or entire classes of drugs. In the United States, the federal government has a system of price controls on drugs available to patients in the Veterans Affairs (VA) medical system. Although some folks might like us to believe that system can be easily transferred to Ohio, it is not that simple.

Beyond the negative impact of price controls that are known to economists around the world, there are other reasons this proposal is bad policy for Ohioans and nearly impossible to implement.

VA Patients Have Access to Fewer Drugs

The consequence of VA price controls is that its patients have less access to drugs compared to Medicare beneficiaries. This is particularly true for access to generic drugs. Almost 100 percent of Part D drugs have a generic equivalent while only half of VA drugs have a generic equivalent. If Ohio adopts price controls, many Ohioans will pay more because they will lose access to their cheaper generics and will be forced to buy the more expensive "name brand" drugs instead.

Ohio Doesn't Oversee its Own Health Care System

The VA has its own network of hospitals and health care providers, and since it controls its own network, the VA knows which prices it negotiates throughout the system. In Ohio, we have many hospitals, health care systems, and health care providers. And people on a state-funded plan (anyone for whom the state helps pay for health care-from Medicaid recipients to state employees who receive health care through their employer, which is the state of Ohio) see the same doctors and go to the same hospitals as those who pay for their own plans and those whose plans are paid for by private employers.

To complicate this situation further, the VA does not make its entire list of negotiated prices readily available, so frequently Ohio would have no idea what price it should be paying for drugs. That means you could be delayed in getting life-saving medication due to bureaucratic slowness in Washington, D.C., because -- under the proposal -- the state is not allowed to pay more than the VA price.

Ohio Would Lose Savings it is Already Getting Through its Negotiations

When Ohio negotiates its drug prices, it often receives rebates from drug manufacturers. For example, Ohio pays a pharmacy \$1 for an antibiotic pill, but the manufacturer of the pill gives the state a large rebate so the real cost to the state is 80 cents a pill. Like a grocery store manufacturer's coupon, the rebate goes to the purchaser, the state of Ohio, and not the retail seller -- in this case the pharmacist or grocery store.

Under the current proposal, Ohio would pay pharmacists the VA price for the pill with no negotiation. If the pharmacist is no longer receiving \$1 a pill, but is receiving 75 or 80 cents a pill, then pharmacists may be losing money on some drugs. And if pharmacists lose money on a certain drug, they may have to stop selling it in order to keep their businesses open. All this for a dubious amount in "savings."

Many Ohioans Will Pay More for Necessary Medication

If you don't work for the state and are one of the many Ohioans who has insurance through a private employer, price controls could force you to pay more for the medications you need.

Ohioans on private plans belong to large purchasing groups through health insurers who bargain for cheaper prices through bulk drug sales. This makes drugs **more affordable** for all members of the buying group. If this proposal (Issue 2) is adopted, Ohioans, who receive health care through state plans, will no longer be allowed to bargain on any drug covered by the VA. That means the purchasing group will be smaller, and those remaining will have less bargaining power. That will result in higher prices for other members in the group.

While price controls seem alluring as an easy way to create savings, whenever they have been tried, they result in shortages, reduced access, and higher prices for some products. This proposed price control policy will be no different and savings to the state will come at the cost of availability of necessary drugs and higher costs to Ohioans.

Rea S. Hederman Jr. is executive vice president at The Buckeye Institute and is an expert in health care policy.

###

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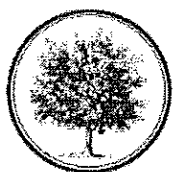
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To: Rep48
Subject: Buckeye's Greg Lawson: Controlling Board Vote on Medicaid Spending Highlights Need for Greater Reform



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Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

October 30, 2017

(614) 224-3255 or Lisa@BuckeyeInstitute.org

Buckeye's Greg Lawson: Controlling Board Vote on Medicaid Spending Highlights Need for Greater Reform

Columbus, OH -- The Buckeye Institute's Greg R. Lawson issued the following statement on today's vote by the Controlling Board to **approve \$264 million in Medicaid** spending.

"Today's Controlling Board vote to authorize the **Department of Medicaid** to spend an additional \$264 million in taxpayer dollars highlights the need for far greater reforms to a program long known as the 'Pac-Man' of the state budget.

"Before any further dollars are appropriated, the General Assembly should make certain that the Kasich Administration will seek waivers that add meaningful personal responsibility requirements for those in the expansion population, **including the Healthy Ohio waiver**, which would empower Medicaid recipients to obtain better care, put Ohio's Medicaid program on sounder financial footing, and ensure that needy Medicaid enrollees have to access to good medical care."

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From: State Policy Team
Sent: Monday, October 30, 2017 5:07 PM
To: State Policy Team
Subject: Obamacare Tax Repeal-Ohio Congressional Delegation
Attachments: ATR-OHLetter.pdf

Americans for Tax Reform and the Buckeye Institute will send the following enclosed coalition letter (attached and pasted below) to members of the Ohio congressional delegation tomorrow, urging them to repeal the 20 tax increases included in Obamacare.

If you would like to add your name to the list of signers before this letter goes out to members of Congress tomorrow afternoon, you can do so by responding to this email or emailing state@atr.org. By adding your name to this letter, you will help send a strong message in defense of Ohio taxpayers. The text of the letter reads as follows:



Dear Members of the Ohio congressional delegation:

On behalf of the undersigned organizations we write to urge you to prevent the Obamacare tax on health insurance from going into effect in 2018.

Unless you and your colleagues act soon, this tax, along with the tax on medical devices, will go into effect January 1, 2018, leading to higher premiums and higher costs for middle class families, seniors, and small businesses. Ideally, both the health insurance tax and medical device tax should be repealed permanently, as should all one trillion dollars of Obamacare taxes.

Absent full repeal, it is critical that lawmakers should act to delay these two taxes so they do not hit taxpayers in 2018. While both are harmful to taxpayers, the health insurance tax is particularly devastating.

In Ohio alone, it is estimated that the Obamacare health insurance tax will cost between 3173 and 5920 jobs by 2023, causing a loss of \$1 billion in economic growth over a decade.

Nationwide, this tax will hit 11 million households that purchase through the individual insurance market and 23 million households covered through their jobs. Half of the tax is paid by those earning less than \$50,000 a year and it will increase premiums by \$5,000 per family over the next decade according to research by the American Action Forum.

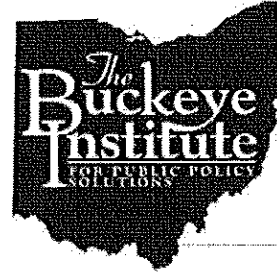
Next year alone, the health insurance tax will total **\$14.3 billion**, while over the next decade, the tax is estimated to total \$145 billion in higher taxes.

Already, American families have been hit hard by Obamacare's tax increases. The law imposed multiple taxes that have increased the cost of

care for families and reduced choice including a tax on Americans facing high medical bills, multiple taxes on health savings accounts, a tax on prescription medicines, and a tax for failing to buy health insurance.

The last thing taxpayers need is even more taxes to go into effect. It is imperative that you and your colleagues work to prevent new Obamacare taxes from harming your constituents, including the tax on health insurance.

AMERICANS *for* TAX REFORM



Dear Members of the Ohio congressional delegation:

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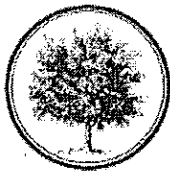
The last thing taxpayers need is even more taxes to go into effect. It is imperative that you and your colleagues work to prevent new Obamacare taxes from harming your constituents, including the tax on health insurance.

From: The Buckeye Institute
Sent: Wednesday, November 1, 2017 10:03 AM
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Subject: The Buckeye Institute: Competition is Critical When Replacing Aging Water & Sewer Lines

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FOR IMMEDIATE RELEASE
November 1, 2017

**The Buckeye Institute: Competition is Critical
When Replacing Aging Water & Sewer Lines**

Columbus, OH -- Following on The Buckeye Institute's policy brief, *Competition Saves Taxpayer Money on Water and Sewer Line Repair*, Buckeye's Greg R. Lawson submitted testimony (see full testimony below) to the Ohio House State and Local Government Committee on the policies in House Bill 121.

In his testimony, Lawson highlighted the issue of water and sewer infrastructure as one that is important "not only for taxpayers' pocketbooks but also for their health and wellbeing."

Lawson went on to note that there are a number of considerations engineers and local officials must take into account when determining the best materials to use for water and sewer pipes saying, "Many factors, such as soil conditions and load, influence the engineering specifications for such a project. Design engineers are qualified experts who must closely study the particular conditions of the project and take these factors into account. They are therefore in the best position to determine what material or materials are suitable."

Of critical importance is to ensure that taxpayers get the best value and the best product for their infrastructure projects with Lawson stating, "Governments should embrace competitive bidding...[and] refrain from imposing regulations that negate the market incentives for industries to lower costs and provide better products."

###

**Interested Party Testimony Submitted to the
Ohio House State and Local Government Committee on House Bill 121**

**Greg R. Lawson, Research Fellow
The Buckeye Institute for Public Policy Solutions
November 1, 2017**

Chair Anielski, Vice Chair Hambley, Ranking Member Holmes, and members of the committee, thank you for the opportunity to testify today. My name is Greg Lawson and I am the research fellow at **The Buckeye Institute**, a think tank that advocates free-market policies for Ohio.

The policy under consideration addresses the funding and regulation of public water and wastewater projects. This is an important issue not only for taxpayers' pocketbooks but also for their health and wellbeing, and one we looked at in our recent policy brief, ***Competition Saves Taxpayer Money on Water and Sewer Line Repair.***

Many factors, such as soil conditions and load, influence the engineering specifications for such a project. Design engineers are qualified experts who must closely study the particular conditions of the project and take these factors into account. They are therefore in the best position to determine what material or materials are suitable.

If more than one material is suitable, economics will likely become a factor. The best value may not always be the cheapest bid. The lowest-cost material that meets the specification may indeed be the best value, or the highest-cost material may be the best value over the

long-run, taking into account factors such as the durability of the material and financing terms.

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To ensure that taxpayers get the best value, governments should embrace competitive bidding. Free competitive markets raise quality and lower prices. Governments should refrain from imposing regulations that negate the market incentives for industries to lower costs and provide better products.

Businesses should make their best proposal for the work required, and governments should select the bid that provides the best value for taxpayers. Taxpayers can and should make local officials justify their decisions and hold them accountable.

Indeed, Ohio recognizes the value of competitive bids and state law requires government contracts be open to competitive bidding in most situations.[1] As the Ohio Supreme Court has explained, competitive bids on government projects "protect the taxpayer, prevent excessive costs and corrupt practices, and provide open and honest competition in bidding for public contracts." [2]

Engineers may worry that absent a restrictive ordinance, the county may be required to choose the lowest bid. But that is not the case. Ohio law instructs that contracts be awarded to the "lowest and *best* bidder." [3] Thus, if, in the engineer's professional opinion, the lowest bid is not also the best bid, the engineer may legally select the better product or service even at the higher price. [4]

As communities look to repair and replace expensive infrastructure, local leaders should embrace competition and accountability and respect the know-how of the trained professionals tasked with fixing the problems.

Thank you for your consideration. Appended to my testimony is a **reprint of an op-ed** that Buckeye recently published in a local Ohio newspaper which you may also find useful and informative.

[1] Ohio Rev. Code Ann. § 307.86.

[2] *Cementech v. City of Fairlawn*, 109 Ohio St. 3d 475, at 477.

[3] Ohio Rev. Code Ann. § 735.05 (Emphasis added).

[4] *Danis Clarkco Landfill Co. v. Clark County Solid Waste Management Dist.*, 73 Ohio St. 3d 590, at 603.

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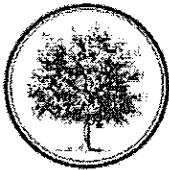
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Making Ohio Work for the Little Guy

By Greg R. Lawson
November 7, 2017

Many local government officials in Ohio are among those from the **238 different cities** waiting with baited breath to find out if their bid to secure the new Amazon headquarters has a shot. Indeed, **Cincinnati** may offer nearly \$1 billion in tax breaks while **Cleveland**, though skittish about disclosing it's offering, no doubt will pony up big breaks too, as will **Columbus**. However, something amid all this hype (and hyperventilation) is being lost, which is, most new jobs come from small business (those employing fewer than 50 people).

That's right, most real job growth in Ohio's economy is not going to come from a blockbuster deal with high-tech behemoths like Amazon or **Facebook**. Rather, it will come from new start-ups and small business. Several years ago, the **Kaufmann Foundation** concluded that between 1977 and 2005 existing U.S. firms sustained a

net *loss* of jobs per year, while first year start-up businesses added an average of three million jobs annually. Most new businesses, of course, start small, which means that attracting new *small* businesses is vital to Ohio's economic future.

Interestingly, as outlined in a **new survey** from Thumbtack.com, small business owners don't want big targeted tax breaks. Rather, they want simplified regulations, better training programs, and easier to navigate government websites and bureaucracy. The survey found that business owners reported they spent more than 8.5 hours a year just trying to comply with government regulations and file all the needed paperwork.

While there were several positive comments in the Thumbtack survey that reflect some of the efforts government has made to be more business friendly, there can be no doubt there is room for improvement. Comments from those **surveyed in Ohio** highlight some of the frustration. For example, a life coach in Columbus said it was easier to start a business in Washington state than Ohio. An animal trainer in Granville summed it up very well:

"Ohio, on one level is a business-friendly state, but for very small businesses such as mine, it can be very difficult navigating the labyrinth of taxes, registrations, and all the regulations and compliance issues."

Herein lies the problem. Ohio does well for medium and big businesses, but more must be done for the little guy.

The Buckeye Institute has pointed out several areas for improvement:

- Fixing Ohio's absurdly complex
municipal income tax;
- Making state taxation simpler;
- Reforming local government to become more efficient; and
- Reform Ohio's burdensome **occupational licensing system.**

Naturally, this is just a start. But these are the policies that will keep Ohio moving forward and will have a more beneficial impact than lavishing incentives on the trendy companies. Furthermore, at a time when many Ohioans feel left out of the new economy, showing them that Ohio's leaders really are looking out for them is much more than just a political gesture, it is the key to showing them they are just as important as the head honchos of Silicon Valley.

Greg R. Lawson is the research fellow at The Buckeye Institute.

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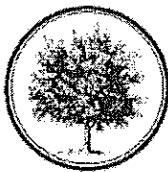
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The Future of Medicaid Depends on Meaningful Reform

By Greg R. Lawson
November 15, 2017

On October 30, the Controlling Board authorized **spending another** \$264 million of your taxpayer dollars so that the state could draw down more than \$630 million of your taxpayer dollars from the federal government to pay for Medicaid. As I **stated** after the vote:

"Before any further dollars are appropriated, the General Assembly should make certain that the Kasich Administration will seek waivers that add meaningful personal responsibility requirements for those in the expansion population, **including the Healthy Ohio waiver**, which would empower Medicaid recipients to obtain better care, put Ohio's Medicaid program on sounder financial footing, and ensure that needy Medicaid enrollees have to access to good medical care."

Medicaid spending was exploding well before the misguided expansion in 2013. Despite the happy talk of Medicaid coming in "under budget," the influx of more than 700,000 able-bodied adults, according to the **latest enrollment numbers**, has nearly stressed the program to its breaking point. In **August 2017**, the total spending for Medicaid totaled \$2.4 billion.

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That's is **\$354.9 million**, or 17.4 percent, more than spending for the same month in the previous fiscal year!

Fortunately, the Kasich Administration has said they are crafting waivers that will stabilize and improve Medicaid by including minimal work requirements and minimal cost sharing for the able-bodied adults in the expansion population (this excludes the elderly and the disabled). This is a positive development and one that will ensure Medicaid is stable and able to serve future generations of Ohioans.

To achieve this goal and ensure Medicaid stability, it is imperative that the General Assembly holds the administration accountable not only in merely drafting the waivers, but in ensuring that they accomplish meaningful reform.

The good news is, the director of the Centers for Medicare and Medicaid Services (CMS), Seema Verma, has stated the administration **will approve work requirements for Medicaid**. However, we must be careful, work requirements with a laundry list of exemptions will not stabilize Medicaid and ensure it is around in the future, nor will premiums that are too low. We must find the proper balance that enables low-income Ohioans in the expansion population to afford Medicaid while stabilizing the program.

Ultimately, for any of these waivers to be effective in stabilizing Medicaid there must be teeth in the requirements, otherwise they are little more than political window dressing. One such provision should be a requirement that abled-body adults in the expansion population must pay the minimal premium and meet the minimal work requirement to access the program. These requirements would not only help stabilize Medicaid, but would help people rebuild their lives through personal responsibility.

These ideas aren't new, and they have been proven successful in many states for children in the **Children's Health Insurance Program**, better known as CHIP. Given the success of requirements in CHIP, it would be wise for Ohio to implement the same model for those abled-body adults in the Medicaid expansion population.

There are other requirements Ohio should look at. For example, people who arrive at the emergency room without any coverage should be treated under charity care laws. This provision would encourage people to obtain and maintain health coverage when they are healthy. This policy has been approved by the CMS in a waiver requested by Iowa and will help reduce gaps in coverage while avoiding people only applying for Medicaid when they are sick. These provisions would create a more stable system and would enable people to more smoothly transition to private health insurance.

Ohio leaders have a chance to ensure the stability of Medicaid for future generations while providing care for those in need. This is an opportunity that should not be missed. If the administration is unwilling to move forward on these commonsense reforms, then the General Assembly should move forward with overriding vetoes including the Medicaid Freeze and Healthy Ohio.

Failure implement these commonsense reforms will only hasten the day of fiscal reckoning for Ohio.

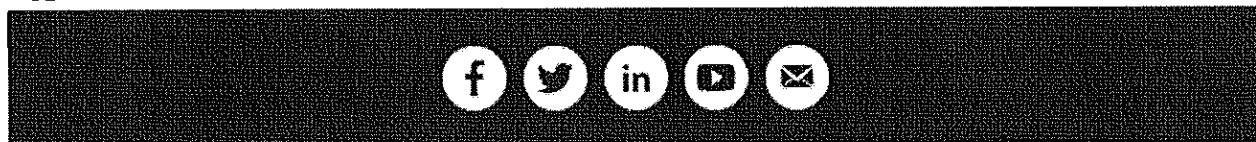
Greg R. Lawson is the research fellow at The Buckeye Institute.

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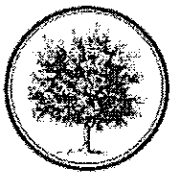
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Buckeye's Rea Hederman: Something to be Thankful for in Ohio's Jobs Numbers

Columbus, OH - Rea S. Hederman Jr., executive vice president at **The Buckeye Institute**, commented on newly released unemployment data from the **Ohio Department of Job and Family Services**.

"In time for the holidays, the Ohio labor market is looking up. The household survey showed a solid month for the labor market with the unemployment rate falling from 5.3 percent to 5.1 as more Ohioans found work. Further positive news is that Ohio now matches the U.S. average in labor force participation at 62.7 percent, after trailing the national average for much of the past year.

"The business survey was also positive, although not as strong, as only 1,000 private sector jobs were added to the Ohio economy. This is in part due to a fall in construction job opportunities (-1,100), a result of unseasonably wet weather in October. Local government hiring was up, and while positive for those who were hired, places additional strain on taxpayers.

"All in all, the Ohio economy is slowly looking up from dismal numbers this summer, and will hopefully continue to improve."

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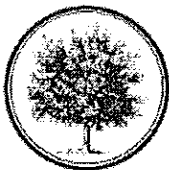
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License to Work 2.0: Past Time to End the Permission Slip Policy on Jobs

By Greg R. Lawson
November 20, 2017

In all too many cases occupational licensing is little more than a mandatory permission slip that is imposed by a "Big Brother" like government and does little to ensure real public safety. Many of these burdens make it difficult for lower-income Ohioans to move up the ladder of economic success by getting a job and getting it quickly.

Earlier this month the Institute for Justice (IJ) released their second edition of the groundbreaking *License to Work* report. Building off their previous work, IJ outlined once again just how the explosive growth of occupational licensing has continued from coast to coast, including here in the Buckeye State.

Echoing concerns raised by their first edition of *License to Work* and by The Buckeye Institute in our own *Forbidden to Succeed* report, this version of the **IJ report** shows that while Ohio continues to license fewer low- to moderate-income jobs than many other states, those it does license creak under greater burdens than well over half of the other states.

Consider that Ohio is the only state to license social- and human-service assistants while placing a particularly high burden on prospective auctioneers. Further, according to the IJ methodology, Ohio barbers lose 420 days to education and cosmetologists 350 days. By contrast, emergency medical technicians lose only 35 days.

This means it takes less time for someone who literally could have your life in their hands to meet the government requirements for work than it does for a person to whom you are merely entrusting your hair. This sort of ridiculousness is why **we have spoken out** so often on the need to lower the burdens on cosmetologists.

But we aren't the only ones who recognize that these onerous requirements are making it harder for people to get jobs and start working. The **Heritage Foundation**, the **Brookings Institute**, and to both the **Obama White House** and the **Trump Administration** have called for reducing these sorts of burdensome licensing requirements.

Ohioans should not have to get approval from the government in order to get a job and Ohio should adopt the least restrictive type of regulation that ensures public health and safety. And given the vast amount of information available to consumers on sites like Angie's List, Yelp, and the Better Business Bureau, it is past time for the government to get out of the business of giving professionals a seal of approval to work.

As burdensome as these regulations are on Ohioans, the burdens increase significantly on the families of military personnel who regularly move from state to state and are forced to reapply for licenses each time. The good news is, on this front there has been progress. **Ohio policymakers** joined Buckeye's fight to recognize out-of-state licenses for military spouses, which we raised in 2016 in our policy brief, *Increasing Job Opportunities for Military Families*.

Despite this success, much work remains to be done for Ohioans and it is well past time for Ohio to get serious about reducing the burden of occupational licensing. It is time for Big Brother to get out of the way so people can get the jobs they are trained for and start building a better future for themselves and their families.

Greg R. Lawson is the research fellow at The Buckeye Institute.

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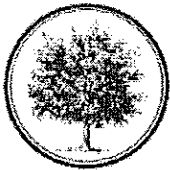
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Ohio's prison population has fallen below 50,000 for the first time since 2013, and Buckeye's Daniel J. Dew looks at some of the policy decisions behind this milestone along with some funny videos to remind us what else was happening in 2013...hint we beat The Team Up North.

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Gotta Get Back in Time: Ohio's Prison Population Falls to 2013 Levels

By Daniel J. Dew
November 21, 2017



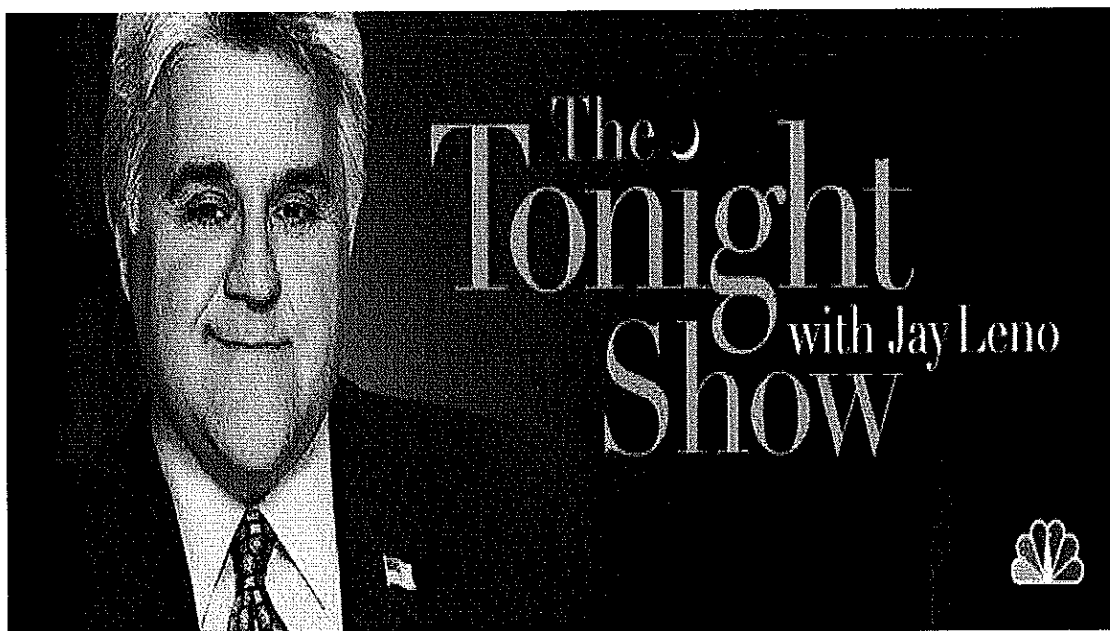
The **Ohio Department of Corrections and Rehabilitations** just released information that Ohio's prison population has fallen below 50,000 down to **49,860**.

That's good news and hasn't happened since 2013, when...

The Office was wrapping up its final season.



Jay Leno was still the host of The Tonight Show.



Everyone was making Harlem Shake videos.



And **Urban Meyer** was coming off his first season at **The Ohio State** where he led the Buckeyes to an **undefeated season**.



Ok, so March 2013 wasn't a super long time ago, but Ohio has not only stopped the increase in its prison population, but is now heading in the right direction.

Ohio policymakers have made a concerted effort to safely reduce the prison population and those efforts are being rewarded. Policies such as **2011's Justice Reinvestment Act** and this year's **Targeted Community Alternatives to Prison (T-CAP)** which rehabilitate low-level offenders outside of prison have proven to be effective.

Ohio's prison system costs taxpayers \$1.8 billion every year. By reexamining criminal justice issues, policymakers are ensuring that those dollars are spent wisely. Good policy ensures that dangerous criminals are off the streets, while those who have made mistakes and can be safely rehabilitated in the community are placed on the path to become responsible citizens.

Ohio is building on its past victories by continuing on the path to a safer, more efficient, criminal justice system through the **Criminal Justice Recodification Committee**, probation and post-release control reform, and the upcoming work of the **Justice Reinvestment 2.0 Ad Hoc Committee**.

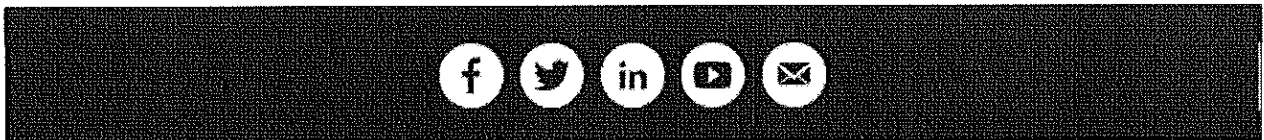
Daniel J. Dew is a legal fellow at The Buckeye Institute's Legal Center and an expert in criminal justice reform.

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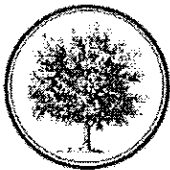
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In between the numerous "Giving Tuesday" emails you have likely received today, we hope you will take a minute to read Robert Alt's compelling piece in *Forbes*.

In the article, Robert argues that we need to change our laws in order to empower public-sector workers with the voting rights they deserve.

Who among us believes it is fair that these workers are being denied the right to vote and the ability to have a voice or a choice on which union represents them? Not your Buckeye Institute. We stand solidly in favor of **Worker Voting Rights** and believe workers deserve a voice and a choice in their representation.

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Buckeye President & CEO Robert Alt has been featured on more than 70 radio shows across the country in the past few months talking about Buckeye's Worker Voting Rights project, which is quickly gaining momentum, earning media attention, and catalyzing action.

As Robert describes in the Forbes piece in more detail (see below for the full article or [click through to Forbes directly](#)), the time has come and the time is right now for Worker Voting Rights.

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Forbes

It's Time For Public Sector Workers To Be Given A Voice And Choice

Forbes

By Robert Alt

November 27, 2017

Early next year, the Supreme Court will hear *Janus v. American Federation of State, County, and Municipal Employees, Council 31*. Mark Janus is a child support specialist at the Illinois Department of Healthcare and Family Service who objects to paying union fees, which are currently a condition of his employment. He argues that the compulsory fees force him to speak through his union in ways that violate his First Amendment rights.

If Mr. Janus prevails, he and other public-sector employees will be able to choose whether or not to pay union dues or fees without threat of being fired, which would be a tremendous victory for workers. However, even if Mr. Janus wins in court, public sector union members will still have no say regarding which union represents their bargaining unit.

Every morning, hardworking men and women in every state drink their coffee and diligently go to work on our behalf -- in our neighborhoods as public school teachers, home care workers, engineers, and in agencies protecting the environment.

Unfortunately, while these civic-minded professionals go to work for us, the labor unions that they must join in order to teach our children or serve our communities do not always work for them.

Once a public-sector union is certified, it remains the workers' representative -- potentially forever. In Ohio, for example, the Columbus Education Association has represented Columbus public school teachers since 1968 -- back when the Beatles were still together and before many of today's teachers were even born.

Heirloom unions inherited from the Nixon-era are depriving today's public workers and civil servants of any meaningful voice or choice in their workplace. Ninety-four percent of union workers have **never had the chance to vote for or against their unions** -- and still won't even if Janus succeeds in his case.

When a public-sector union fails to address employee complaints or misspends union dues, there is no ballot to cast for change. Instead, public employees remain stuck with the hand-me-down unions that workers who wore bell-bottoms chose for them.

There is a solution.

With worker voting rights, public employees would have regular elections to encourage their unions to be more responsive to their members' interests. Worker voting rights gives union workers an opportunity to be heard, to voice their concerns to their union leaders, to better understand how their union dues are spent, and to choose for themselves whether to keep the union they have, vote their union out, or vote in a better union. Worker voting rights would incentivize union leaders to cultivate broader support among the workforce they represent and to be accountable to their rank-and-file members. Not surprisingly, 82% of unionized Americans **favor holding periodic votes on their union representation**.

Once-and-for-all unions that rarely -- if ever -- face re-election have no worry of being fired by their members for poor performance or disregarding members' concerns. In states that require workers to pay "fair share" fees as a condition of employment, union leadership failure has next to no consequences, because whether the union negotiates better working conditions for its members or not, whether it spends union dues wisely or not, whether it meets the needs of its members or not, there is almost nothing public employees can do to replace or remove the poorly performing union. Even if these public employees are dissatisfied with their representation, they have to continue paying their union dues or fair share fees, or else their employment can be legally terminated.

Public-sector unions and their insulated union officials know and count on this questionable practice of denying their members voting rights, allowing unions that are not taking care of their members to remain firmly entrenched regardless of their

members' satisfaction. But state lawmakers can guarantee worker voting rights for public employees by providing for regular elections by law.

Unions have played a significant role in America's workforce for well over a century. But the interests of the unions themselves should never trump the interests of the hardworking men and women these unions represent. Our civil servants and public-sector employees deserve to have their voices heard and their choices matter -- they deserve worker voting rights.

Robert Alt is President & CEO of The Buckeye Institute in Columbus, Ohio.

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p.s. The Buckeye Institute is receiving gifts today as part of "Giving Tuesday" and invite you to consider supporting our work, which is transforming public policy at the state level. Check out our **appeal from last year** for explanation of this online phenomenon and background on how it started, then submit a generous donation to **your favorite policy organization** as you are able.

#GIVING
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December 7, 2017

(614) 224-3255 or Lisa@BuckeyeInstitute.org

**Proposed Changes to Ohio's Cash Bail Policy
are First Step to Fixing Broken System**

Columbus, OH -- The Buckeye Institute issued the following statement upon the introduction of House Bill 439, sponsored by State Representative Jonathan Dever (R-28), which would move Ohio away from an arbitrary cash bail system and give judges more flexibility and more information to detain dangerous defendants before trial.

"Under Ohio's current bail system, pretrial release is determined by the amount of money a person has access to rather than the actual threat the person poses to the community. And the policies proposed today are the first step in reforming a broken system," said **Daniel J. Dew**, a legal fellow with The Buckeye Institute's **Legal Center**. "Ohio's cash bail system

leads to the absurd results where a **drunken jaywalker** spends time in jail while a **child rapist** is released on bond only to murder the child set to testify against him."

In a forthcoming Buckeye Institute report, *"Money Bail": Making Ohio a More Dangerous Place to Live*, scheduled to be released next week, Dew looks at Ohio's failing cash bail system and the need to replace it with verified risk-assessment tools that provide a fairer, more efficient way to keep Ohio's communities safe and secure.

"In our report, we show that reliance on cash bail hurts the poor at the expense of taxpayers and gives dangerous defendants the opportunity to buy their way out of jail," Dew said. "Giving judges more information to make pretrial release decisions and giving them more tools to detain dangerous defendants will make Ohio communities safer."

###

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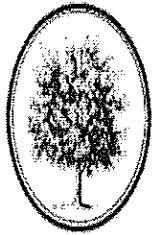
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Sent by info@buckeyeinstitute.org

From: The Buckeye Institute
Sent: Saturday, December 31, 2016 11:36 AM
To: Rep48
Subject: Between two Fiesta Bowls--Message from Robert Alt



THE BUCKEYE INSTITUTE

Dear Friends,

As I prepare to cheer our Buckeyes on to victory tonight, I have been reflecting on the year gone by. It struck me that January 1, 2016, and December 31, 2016, share common Fiesta Bowls featuring our beloved Buckeyes. Didn't we already win this game for 2016? To quote Yogi Berra, "It's déjà vu all over again."

The Buckeye Institute has racked up a significant string of policy victories since 2016's 1st Fiesta Bowl--victories that expand liberty in Ohio and beyond. Here are a few highlights:

- **Occupational Licensing:** Should Ohioans be forced to spend 300 extra hours of training in order to become a salon manager? Of course not. This is just one of the more than 30 counterproductive occupational licensing requirements Buckeye lead the charge in throwing on the ash heap of history. Our research highlighted this problem. Ohio was the only state in the nation with this onerous regulation when the 1st Fiesta Bowl of 2016 happened. It is now gone! Policymakers took note of our work and eliminated the manager's license requirement in 2016, specifically praising Buckeye's research for leading the way to reform.
- **Civil Asset Forfeiture:** Buckeye launched an educational campaign on the need for civil asset forfeiture reform to assure

that the government could not continue to seize your property without convicting of you of a crime. This is basic common sense. When this reform passed earlier this month, policymakers once again publicly acknowledged Buckeye's work as instrumental to reforming the policy.

- **Charity Care:** Rather than government mandates, how about making it easier for medical professionals to donate their services to help those in need? Buckeye proposed policy changes that would encourage charity work by medical professionals by giving them continuing education credits for doing so. In a win for all Ohioans, policymakers enacted these reforms earlier this month.

These are just a few highlights of our significant accomplishments since the last Fiesta Bowl, but none of them--not one--would have been possible without you, our dear supporters.

Because of you, The Buckeye Institute had our most successful year in its 27-year history. And we're only just getting started.

2017 year promises to be even better, but we'll need your help once again. Buckeye will continue to lead the way to greater freedom and prosperity in Ohio and all the states through innovation on topics like budget policy, healthcare, energy, and criminal justice issues.

We can't do it without you. We don't solicit or accept government grants or any other taxpayer funding. We believe in the goodness of Americans in supporting our cause. We need your investment to continue doing our vital work, and we have big plans for next year. We can't wait to tell you about them soon.

There is still time left to make a gift to Buckeye in 2016. If you give to Buckeye before the clock strikes midnight, you will get both the satisfaction of knowing that you are making a real difference in helping good public policy win, and you will also enjoy that true inner peace that comes from getting the maximum tax deduction the law allows while this politically-charged IRS wishes you couldn't. (I have a familiar and catchy phrase for Lois Lerner's team who targeted Buckeye to shut us down or at least shut us up back in 2013: so long, farewell, auf wiedersehen, goodbye....)

A 2nd Fiesta Bowl victory approximately 12 hours from now will be the icing on the cake of Buckeye's best year yet. Although I can't guarantee the outcome of the game this evening (I'm optimistic, though, that if we throw the ball well that we'll be fine), I can promise you that we will use your donation to fight tirelessly for freedom and prosperity until the *next* Fiesta Bowl and beyond.

Thank you once again for your generous support for The Buckeye Institute. We are humbled, grateful, and inspired. We love this work and love having you partner with us to make it happen.

Happy New Year, and Go Bucks!

Sincerely,



Robert Alt
President & CEO
The Buckeye Institute

Donate Now

###

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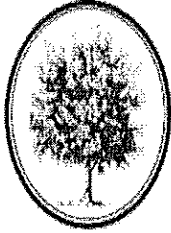
Sent by info@buckeyeinstitute.org

From: The Buckeye Institute

Sent: Friday, March 3, 2017 7:04 AM

To: Rep48

Subject: Hot-off-the-press study on Ohio's RPS shows devastating economic results



THE BUCKEYE INSTITUTE

Contact: Orphe Divounguy, Ph.D., Economist
(614) 224-4422 or Orphe@BuckeyeInstitute.org

FOR IMMEDIATE RELEASE

March 3, 2017

The Buckeye Institute Releases Brand Spanking New Study on RPS--And, Drumroll Please, It's a Doozy

COLUMBUS, OH--Early Friday morning, The Buckeye Institute's Economic Research Center (ERC) released its timely new report, The Impact of Renewables Portfolio Standards on the Ohio Economy, which demonstrates the negative economic impact of Ohio's Renewables Portfolio Standards (RPS) on Ohio's economy.

The results of the RPS study are in: If Ohio keeps RPS, tremendous economic damage will follow in its wake long after current policymakers have left office. Accordingly, this study serves as fair warning of impending economic consequences if RPS are not fixed.

By requiring electricity providers to purchase renewable energy credits (RECs), costs continue to increase--causing Ohio businesses and families to pay more for their energy over the next decade. As a result, if RPS is not permanently frozen or repealed outright, the evidence shows that families will suffer from reduced discretionary spending, businesses will hire fewer workers, and Ohio's economic growth will be stunted.

If the renewables standards continue as shown in this new Economic Research Center study, Ohio's economy would suffer from 134,000 fewer job opportunities and the state's GDP will be reduced by \$15.5 billion within 10 years. "Ohio workers and families will bear the brunt of the cost for this economically-damaging energy policy, that is RPS," reports The Buckeye Institute's lead economist Orphe Divounguy, Ph.D. "The evidence is overwhelming and convincing: this RPS mandate leads to cost increases that are essentially a tax on productive economic activity. The longer the mandate stays in effect, the more harmful its economic impact will be--as our new study shows very clearly."

The Economic Research Center employed its state-of-the-art and peer-reviewed dynamic growth model of the Ohio economy to simulate the economic effects of the RPS under various policy scenarios. These policy scenarios illustrate what would happen if, for instance, the RPS are permanently frozen at 2016 levels or take full effect. The most positive public policy scenario for Ohio's economy is RPS repeal, which allows the market to determine prices instead of government mandates.

The Buckeye Institute uses publicly available government data, employs sound academic-style research that is peer reviewed, and discloses its assumptions in an effort to be transparent about its methodology. Its Economic Research Center's economic models and calculations have been used and cited extensively in multiple states and relied upon by policymakers since the ERC's inception.

Press and legislators may contact Dr. Divounguy directly (contact information above) after reviewing the study and its results to discuss further.

###

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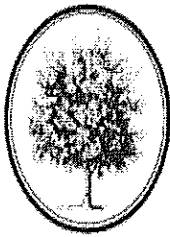
Sent by info@buckeyeinstitute.org

From: The Buckeye Institute

Sent: Tuesday, March 21, 2017 3:34 PM

To: Rep48

Subject: Your Buckeye Institute won big at U.S. Supreme Court today--even if your bracket went down in flames



THE BUCKEYE INSTITUTE

Contact: Daniel Dew, Criminal Justice Fellow
(614) 224-4422 or Daniel@BuckeyeInstitute.org

FOR IMMEDIATE RELEASE

March 21, 2017

The Buckeye Institute Secures Tremendous Victory Against Obama Administration with U.S. Supreme Court Ruling Tuesday Morning--No Disrespect to March Madness

COLUMBUS, OHIO--Your Buckeye Institute enjoys college hoops as much as anyone else--and we're not even going to mention Ohio State's basketball team--but a much more important and lasting win happened today.

In late September, The Buckeye Institute filed a brief asking the U.S. Supreme Court to serve as a check on overreach committed by the Obama administration.

And this morning, for old times' sake, the U.S. Supreme Court gave a special final sendoff to President Obama's pen and phone.

In the Court's opinion Tuesday morning ruling in favor of the challenger (and yours truly), Chief Justice Roberts wrote for the majority, "The glitch in th[e government's] argument is of course the text of [the statute]."*

*Dang!!! Talk about a judicial zinger. Justice Roberts, we hardly recognize you!

Indeed, those pesky statutes and the U.S. Constitution were constantly hindering the Obama Administration's plans.

In this case, President Obama completely ignored the Federal Vacancies Reform Act (FVRA), which allows the president, with restrictions, to temporarily fill vacancies that would otherwise need Senate approval.

One of the conditions of the FVRA is that the president cannot play fast and loose with the Senate's role in confirming appointees by temporarily filling a position with the same person who is then nominated for the "permanent" position as well.

In 2010, President Obama did exactly what this act forbids--he tapped Lafe Solomon to temporarily fill the vacancy as the National Labor Relations Board (NLRB) general counsel, and then nominated Solomon to permanently fill the same position he was already temporarily holding.

The Buckeye Institute's President Robert Alt said of the high court's decision today, "The Buckeye Institute's victory at the U.S. Supreme Court in *National Labor Relations Board v. SW General, Inc.* reaffirms a basic principle all Americans understand and support: we are a nation of laws, not of men. No one is above the law--not even the President himself."

The Buckeye Institute will continue to fight to ensure that our government operates within the limits established by law. To all of our supporters, today is your day. You won this case. You sent your financial contributions to support our efforts, you encouraged us not to give up the good fight, and you steadfastly believed with unwavering conviction that here in these United States of America, justice would ultimately prevail.

We dedicate this excellent decision today by the Supreme Court to you who faithfully contribute generously and thoughtfully to support our efforts to bring cases like this forward and fight back against unconstitutional acts even by the most powerful officeholder

in the world. We are humbled and grateful to be able to do this work day in and day out with your help--and win these cases--thanks to you good people.

Take a bow, and then raise a toast with us, "Today is a great day. My bracket lost resoundingly, but justice won undoubtedly."

###

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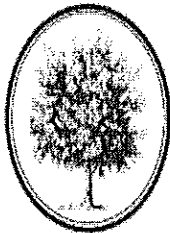
Sent by info@buckeyeinstitute.org

From: The Buckeye Institute

Sent: Friday, March 24, 2017 11:24 AM

To: Rep48

Subject: Buckeye is taking an axe to the feather duster fight in Washington



THE BUCKEYE INSTITUTE

Contact: Daniel Dew, Criminal Justice Fellow
(614) 224-4422 or Daniel@BuckeyeInstitute.org

FOR IMMEDIATE RELEASE

March 24, 2017

The Buckeye Institute is Leading Charge to Cut Stifling Regulations, Rollback Red Tape, and... Yes, Drain the Washington Swamp Using a Carefully Chosen Tool for the Job: the Congressional Review Act (CRA)

COLUMBUS, OH--On Friday morning, The Buckeye Institute announced its metaphorical use of the axe that is the Congressional Review Act (CRA).

The high temperatures in Columbus the next few days are expected to be in the low 70s. With the arrival of warmer weather brings a natural desire to do some spring cleaning, and your Buckeye Institute is well prepared for this dirty job. While the Washington establishment types are taking feather dusters in to do some light touching up and dust removal here and there, your Buckeye Institute is making use of a mighty axe (the CRA) to cut the devastating regulations hurting our citizens, our businesses, and our families in Ohio and states across this great nation.

In the moments before President Trump's Joint Address to Congress a few weeks back, the Wall Street Journal broke the news of Pacific Legal Foundation's project Red Tape Rollback.

Today, The Buckeye Institute is pleased to share our exciting role as a founding partner in this national effort to eliminate devastating regulations. Red Tape Rollback is a cooperative venture and the result of a partnership of several prominent national think tanks, policy organizations, and the oldest public interest law firm on the right to reduce regulations through the use of the CRA.

Former Congressman David McIntosh (now of The Club for Growth) and his old friend and Capitol Hill staffer Todd Gaziano (now of Pacific Legal Foundation) who wrote the Congressional Review Act were keen to employ this tactic to dismantle the foundation of the regulatory state. The Buckeye Institute has joined them in identifying regulations that are problematic in the states, for small businesses, and families, and we are leading the charge to eliminate them for good.

Why is the CRA so powerful? As explained on Red Tape Rollback:

- 1) Agencies are required to report agency rules, policy memoranda, guidance documents, dear colleague letters, etc. to Congress. Congress then has the option of disapproving these regulations within 60 days. Here is the kicker: there are thousands of these rules that went unreported during the Obama administration. Are you even surprised? What about the filibuster, you ask? **We don't need no stinkin' filibuster.** In fact, the CRA provides that the filibuster doesn't even apply to the review of these nasty regulations!
- 2) You say that Congress is a bunch of do-nothings who take feather dusters to do their deep spring cleaning? We can't argue with you there, but under the CRA, rules do not take effect until the reports are sent to Congress. So the Trump administration could indeed abandon these regulations without Congress.

What can you do to assist this effort? Go to Red Tape Rollback. Find the regulation that has been harming your business or family, and check to see whether it was ever reported to Congress. If it was not, enter it on that same webpage so that we can add it to the list of regulations to repeal. If you'd rather not get your hands dirty, but prefer to help us do this spring cleaning, we can always use financial support. This effort is costly in terms of time, staff, and research, and we cannot do it without your help.

The Buckeye Institute's President Robert Alt said of this project, "In states across the country, the proliferation of problematic regulations has slowed economic growth, killed jobs, and oppressed small businesses and families. Ironically, we now know that the same Washington government agencies promulgating these onerous regulations did not follow the rules themselves. That ends today. The Buckeye Institute is proud to be a founding partner of the Red Tape Rollback project to ensure that the Congressional Review Act is vigorously enforced, agencies follow the rules that Congress put into place, and that job-killing and other harmful regulations are eliminated expeditiously."

Boom.

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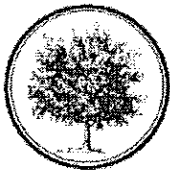
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From: The Buckeye Institute
Sent: Monday, December 11, 2017 1:20 PM
To: Rep48
Subject: New Buckeye Report Finds Ohio's "Money Bail" System is Dangerous to Communities

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Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

December 11, 2017

(614) 224-3255 or Lisa@BuckeyeInstitute.org

New Buckeye Report Finds Ohio's "Money Bail" System is Dangerous to Communities

Columbus, OH -- Today, The Buckeye Institute released its latest policy report, *"Money Bail": Making Ohio a More Dangerous Place to Live*, which looks at the need for Ohio to replace its failing cash bail system with proven risk-assessment tools that provide a fairer, more efficient way to keep Ohio's communities safe and secure.

"The traditional money bail scheme is in dire need of reform, it is an inefficient, expensive, unfair means of protecting communities that has proven no guarantee to stopping repeat offenders," said **Daniel J. Dew**, a legal fellow with The Buckeye Institute's **Legal Center** and author of the report. "Under our current system, accused murderers, child rapists, and armed robbers are arrested and released into our communities because they have access to

money, while citizens accused of jaywalking, violating dress-codes, or failing to pay traffic tickets sit in jail for days, weeks, or even months because they have little or no access to cash. We can and must to better."

Recommendations and Alternative Tools

In *Money Bail*, Dew recommends the use of evidence-based, risk-assessment tools to assess the risk an individual poses, such as their criminal history, the offense, and prior missed court dates. These tools give judges greater flexibility and resources to hold defendants accountable pending trial, and to deny release when there is clear evidence that the accused poses significant risks to the community. Dew also suggests a number of alternatives to cash bail, such as electronic monitoring, mandatory counseling, and routine check-ins that allow judges to hold defendants accountable.

Proven Success of Risk-Assessment Tools

The risk-assessment tools Dew recommends have proven successful in communities where they have been used. **Lucas County** has seen more defendants released before trial, more defendants appearing for trial, and less crime committed by those awaiting trial. Defendants arrested while on pretrial release dropped from 20 percent to 10 percent, and skipped court dates dropped by 12 percent, even as the number of people released without money bail doubled.

Where the Current System Failed

Dew also looks at 11 cases in Ohio where the current money bail system failed, including that of **Dragan Sekulic** of Stark County, who, after attempting to kill his ex-wife with his car, was released on \$100,000 bond. While he awaited trial, he shot and killed Zeljka.

On the other end of the spectrum is the case of **Markcus Brown** who spent nine days in jail after being arrested for trespassing when his clothes violated the Greater Dayton Regional Transit Authority's dress code. After his arrest, Brown's bail was set at \$150, which his family could not afford. As a result, Brown sat in jail until his mother secured a car title loan nine days later.

"The Buckeye Institute's expose on money bail is a disturbing indictment of a justice system that often jails poor people for petty crimes, and allows those accused of sexual and violent crimes to buy their way to freedom," said Holly Harris of the **Justice Action Network**. "Fortunately, we now have legislation in HB 439 that would empower judges to make pre-trial release decisions based on the threat an accused person poses to society, and not on how much cash that person can pony up to the court. Given the disturbing case studies on money bail unearthed by Buckeye, some of which led to heartbreaking deaths, it is difficult to imagine any legislator on either side of the aisle voting against this bill."

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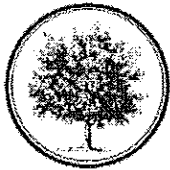
Sent: Tuesday, December 12, 2017 3:00 PM

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Subject: The Buckeye Institute: Competition in Ohio's Electricity Market Will Save Ohioans Money and Improve Economy

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Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

December 12, 2017

(614) 224-3255 or Lisa@BuckeyeInstitute.org

The Buckeye Institute: Competition in Ohio's Electricity Market Will Save Ohioans Money and Improve Economy

Greg Lawson Offers Testimony to Ohio House Public Utilities Committee

Columbus, OH -- The Buckeye Institute's Greg R. Lawson submitted written testimony (see full text below) today to the Ohio House Public Utilities Committee on the need to increase competition in Ohio's electricity market and the important reform policies found in House Bill 247.

Lawson opened his testimony outlining the challenge Ohio faces, "Ohio's hybrid restructuring model is unworkable and policymakers must either go back to a fully

integrated, regulated structure or complete the electricity market reforms that the General Assembly initiated in 1999."

In making this case, Lawson illustrated the need for further reform to increase competition and lower prices if Ohio is going to continue to experience economic growth.

"Manufacturing is the single largest sector in the state in terms of gross domestic product and manufacturers typically count electricity as one of their largest expenditures." Lawson went on, "Technology companies are increasingly counting Ohio as a candidate for new sites, and a more competitive electricity market should help to attract and retain these investments."

Lawson noted that reforms proposed in House Bill 247 would:

- Allow many Ohio households and businesses to save money on their electric bill and put it towards other uses;
- Permit the **Public Utilities Commission of Ohio** or the courts to issue refunds to customers for electric company charges that are deemed improper; and
- Would increase competition by ending non-transparent price schemes that can facilitate anti-competitive and unfair cross-subsidization between utilities and power plants they own through affiliated companies.

These types of reforms, Lawson says, "Would make Ohio a better place to do business and make it easier for low-income individuals to pay their electric bills."

###

**Interested Party Testimony
Submitted to the Ohio House Public Utilities Committee
on House Bill 247**

**Greg R. Lawson, Research Fellow
The Buckeye Institute for Public Policy Solutions
December 12, 2017**

Chairman Cupp, Vice Chairman Carfagna, Ranking Member Ashford, and members of the Committee, thank you for the opportunity to speak about the important electricity market reform policies found in House Bill 247. My name is Greg R. Lawson and I am the research fellow at **The Buckeye Institute**, a free-market think tank here in Columbus.

There is a serious problem at hand in our electric market that requires good policy to fix: Wholesale electricity prices have fallen dramatically since 2009, but the retail price that customers actually pay has only continued to increase.[1] This problem is holding back the Ohio economy.

Historically, it is now clear that Ohio's hybrid restructuring model is unworkable and policymakers must either go back to a fully integrated, regulated structure or complete the electricity market reforms that the General Assembly initiated in 1999.

Manufacturing is the single largest sector in the state in terms of gross domestic product,[2] and manufacturers typically count electricity as one of their largest expenditures. Making the electricity market more price competitive will help this important sector to compete on the global market and continue to employ Ohioans.

Low-cost electricity is also a key factor for data centers and other infrastructure of the information sector. Technology companies are increasingly counting Ohio as a candidate for new sites, and a more competitive electricity market should help to attract and retain these investments. Critically, the issue of cross-subsidization must be addressed. Electric utilities must not be able to obtain anticompetitive subsidies for affiliate generation. Allowing this to happen undermines the market.

Policies within HB 247 would appear to improve Ohio's present state of competitiveness.

First, it would eliminate electric security plans (ESP). Historically, Ohio's electric utilities have used these plans to inflate rates above the market price. Eliminating these plans would require electric utilities to only charge customers the market price for generation, not an ESP inflated price. This reform would therefore allow many Ohio households and businesses to save money on their electric bill and put it towards other uses.

Second, it would permit the **Public Utilities Commission of Ohio** or the courts to issue refunds to customers for charges that are deemed improper. This provision would force the ratemaking procedure to be more transparent and fairer on the front side by ensuring that customers can be fully made whole.

Third, it would restrict monopoly utilities from owning power plants, even through an affiliate company. While eliminating ESPs alone may be able to limit potential cross-subsidization from these relationships, a requirement that electric utilities fully divest their generation assets would guarantee that utility affiliated generation cannot gain an unfair competitive advantage. Further, in light of the millions of dollars of transition revenues that

utilities have already collected over the years, such separation is less draconian today than it was in the early days of restructuring.

In all likelihood, requiring owners of generation to be fully independent of any regulated utility would increase the competitiveness of the sector and lead to a more favorable outcome for Ohioans over the long run.[3]

In conclusion, Ohio is in desperate need of greater competitiveness, transparency, and fairness in its electricity market. Reforms such as, or similar to, those in HB 247 would make Ohio a better place to do business and make it easier for low-income individuals to pay their electric bills.

Thank you for the opportunity to testify today.

[1] Russ Keller, "Fiscal Note & Local Impact Statement: H.B. 247 of the 132nd General Assembly, As Introduced," Ohio Legislative Service Commission, November 28, 2017.

[2] *Ohio Illustrated: A Visual Guide to Taxes & the Economy*, The Buckeye Institute and Tax Foundation, June 7, 2017.

[3] Joe Nichols and Devin Hartman, *Don't Short Circuit the Ohio Electricity Market*, The Buckeye Institute and RStreet Institute, October 16, 2017.

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From: American Bail Coalition
Sent: Friday, December 15, 2017 3:24 PM
To: Rep48
CC: jclayton@americanbail.org
Subject: Buckeye Institute needs to go back to the drawing board on Bail Reform



Dear Representative Schuring,

As government stewards, elected officials, and stakeholders in the safety of the citizens of Ohio, I write to you today concerning the ongoing misinformation regarding bail reform.

You may have recently been given a copy of a report from the Buckeye Institute, entitled **"Money Bail" Making Ohio A More Dangerous Place to Live**. This report contains so many errors and incomplete information that, frankly, it should be discarded. Yet, we wanted to take an opportunity to counter some of the claims made in the report and set the bail reform debate into the proper context.

First, "money bail" is not making Ohio a more dangerous place to live. The bail system in Ohio is essentially the same one being run since statehood. The right to bail is enshrined in the Ohio constitution, and Judges have discretion to set the "type, amount, and conditions" of bail. This is also why 69% of judges in a recent National Judicial College Survey did not agree with the elimination of money bail from the system.

Second, what does the Buckeye Institute's new bail utopia cost? New Jersey's program, given as an example, will run out of money on July 1, 2018 unless the legislature completely overhauls the funding of that program. The costs to implement such a program were in excess of \$1 billion in California. Added to that, not only are there not savings, as both Administrative Judge Glenn Grant in New Jersey and the California Chief Justice concur, the costs of shifting away from monetary bail to risk assessments and supervision will largely not materialize and the cost the State and Counties millions of dollars.

Third, the litany of examples cited by the report as horrifying cases where someone was able to post bail begs the question as to what the Buckeye Institute would do with such cases. Yet, the Ohio Constitution already covers

this, giving the power to prosecutors to prove the danger or risk of flight and deny bail. The report suggests that somehow a risk assessment will fix the problem, yet the results of the assessment do not relieve a prosecutor of having to put up the proof necessary to achieve the result.

The report argues that several jurisdictions are seeing tremendous results due to bail reform, but this relies on the results generated by a private foundation that provides a free proprietary risk assessment tool and does its own evaluation of the results. It should come as no surprise that they think it works. **Instead, in sworn testimony, a national expert testified in federal court that the Lucas County, Ohio program has very high failure rates, including 47% of high risk cases. As a result of that testimony, the attorneys in the case concluded that Lucas County, Ohio had created a culture of "non-accountability" in its bail system.**

In San Francisco, the report issued there found that 27% of defendants did not show up under the risk assessment model. In New Jersey, the state has failed to release any numbers, and the report's citation to crime figures does not prove that bail reform has anything to do with that since New Jersey's prison population has declined every year for 15 years - and the population had been declining by double digits leading up to bail reform. Of course, New Jersey's algorithm is releasing prior felons in possession of firearms, counting them as low risk, similar to what is going on in New Mexico.

Risk assessments are indeed not a magic bullet, and there have been serious criticisms lodged against them which the Buckeye Institute report completely ignores. Researchers at New York University concluded: **"The use of such systems by public agencies raises serious due process concerns, and at a minimum they should be available for public auditing, testing, and review, and subject to accountability standards."** Former US Attorney General Eric Holder has also cautioned jurisdictions who using risk assessments saying they "may exacerbate unwarranted and unjust disparities that are already far too common in our criminal justice system and in our society." Several additional recent studies and experts have called into question the race and gender neutrality of such algorithms, and the jury is certainly still out on that question. Indeed the utter lack of transparency of such algorithms is of serious concern.

The Buckeye Institute decides to then demean the bail industry for helping persons exercise their right to bail in Ohio and provide accountability to the Courts. The report cites no statistics on the effectiveness of surety bail in Ohio. That's not to say that adjustments cannot be made, but national data as well as data in Ohio back up the fact that private bail is effective and efficient because it is typically a third-party benefit provided to the State and a defendant at no cost to the State.

Sadly, the Buckeye Institute has sunk to the level of citing newspaper articles as some proof of the key points it makes. It does such surface-level analysis that clearly the conclusion informed the selection of the "research" that is cited. For example, the fact that 57% of persons in jail are awaiting trial tells us nothing? 4how many of those persons are on a non-monetary hold? Or, what is their prior criminal history, and what would the risk assessment say about them based thereon? How many are there because their attorneys are advising them to take a time-served deal?

The Buckeye Institute needs to go back to the drawing board with its assessment of bail reform. Moving away from "money bail" has not proven to deliver on its promises. While adjustments to the system can always be made, putting our blind faith in "black-box" algorithms to fix the problem is not only unproven, it is simply naïve.

Sincerely,

Jeff Clayton
Executive Director
American Bail Coalition
(877) 958-6628

From: The Buckeye Institute

Sent: Monday, December 18, 2017 7:04 AM

To: Rep48

Subject: New Buckeye Report Finds Occupational Licensing Hits Older and Lower-Income Workers Hardest

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THE BUCKEYE INSTITUTE

Contact: Lisa Gates, Vice President of Comms

FOR IMMEDIATE RELEASE

December 18, 2017

(614) 224-3255 or Lisa@BuckeyeInstitute.org

New Buckeye Report Finds Occupational Licensing Hits Older and Lower-Income Workers Hardest

Columbus, OH -- Today, The Buckeye Institute's Economic Research Center released its latest policy report, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*. The report found that the burden of Ohio's occupational licensing requirements has a greater impact on middle-aged and low-income workers, and those without a college degree. In essence, occupational licensing erects barriers to employment to those most in need of good-paying jobs.

"This research offers more evidence of the negative impact of occupational licensing. We have known for years that licensing requirements reduce job creation in Ohio and make it harder for people to get jobs," said Greg R. Lawson, a research fellow at The Buckeye Institute and one of the authors of the report. "This study shows that licensing requirements

also impose a disproportionate burden on job seekers -- placing a particularly onerous burden on low-income, minority, and non-college educated Ohioans."

Using a macroeconomic dynamic scoring model -- developed by economists at Buckeye's **Economic Research Center** -- and data collected by the **U.S. Bureau of Labor Statistics**, the report's authors discovered that Ohio's licensing requirements have prevented more than 7,000 people between the ages of 25-45 from pursuing licensed occupations, and has discouraged people from migrating to Ohio to enter the job market. The authors also discovered that high licensing costs keep workers from good-paying professions, and suggests that without such costs more workers would find employment.

Still Forbidden to Succeed was authored by Dr. Orphe Pierre Divounguy, former economist with The Buckeye Institute's Economic Research Center; Greg R. Lawson, research fellow at The Buckeye Institute; and Bryce Hill, a former economic research assistant with the Economic Research Center. This new study builds on Buckeye's previous research on occupational licensing, *Forbidden to Succeed: How Licensure Laws Hold Ohioans Back*.

###

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To: Rep48
CC: jclayton@americanbail.org
Subject: Buckeye Institute needs to go back to the drawing board on Bail Reform



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Sincerely,

Jeff Clayton
Executive Director
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(877) 958-6628

From: The Buckeye Institute

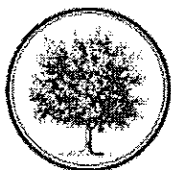
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Subject: The Buckeye Institute Releases Economic Freedom of North America 2017

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FOR IMMEDIATE RELEASE

December 20, 2017

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The Buckeye Institute Releases Economic Freedom of North America 2017

Ohio Ranks 35th Among the 50 States in Economic Freedom

Columbus, OH -- Ohio ranks 35th out of all 50 states in this year's *Economic Freedom of North America* report, released today by **The Buckeye Institute** in partnership with Canada's **Fraser Institute**. The report ranks every state and province in North America based on economic freedom as measured by government spending, taxation, and labor market restrictions.

"The news is mixed for Ohio. The state has moved up a few spots this year, mostly due to Governor John Kasich's tax reform efforts in 2015. Yet, overall Ohio still languishes in the bottom third of states and trails most of its neighbors," wrote **Rea S. Hederman Jr.**,

executive director of The Buckeye Institute's **Economic Research Center** and vice president of policy, in the report's forward. "Given this ranking, it is not surprising that the state struggles to retain its workers and is not a destination for entrepreneurs seeking a new place to start a business."

Using data from 2015, the most recent year available, Ohio ranks 35th among the 50 states in economic freedom with a score of 6.7. That is up three places from 2016 when Ohio was ranked 38th and five places from 2015 when the state was ranked 40th. Included in the report is Buckeye's **Ohio Economic Freedom Fact Sheet**, which summarizes where Ohio ranks in various economic freedom policies and how it compares to neighboring states.

Ohio's Ranking in Key Areas

Government Spending - 41st

- Consumption spending as a percent of personal income - 22nd
- Transfers and subsidies as a percent of personal income - 23rd
- Insurance and retirement payments as a percent of personal income - 47th

Taxes - 26th

- Income and payroll tax revenue as a percent of personal income - 27th
- Top income tax threshold \$208,500
- Property tax and other tax revenue as a percent of personal income - 20th
- Sales tax revenue as a percent of personal income - 34th

Labor Market Freedom - 30th

- Minimum wage income as a percent of per capita personal income - 36th
- Government employees as a percent of total employees - 12th
- Union density as a percent of total employees - 35th

The Fraser Institute has measured economic freedom in every state and province in the United States, Canada, and Mexico for 13 years, creating a comprehensive assessment of trends in economic freedom. The Buckeye Institute and its Economic Research Center co-published the report for the third year in a row.

The Fraser Institute and The Buckeye Institute are independent think tanks that research and advocate for free-market economic policies. The Buckeye Institute's Economic Research Center specializes in data analysis of state-level economic policies.

###

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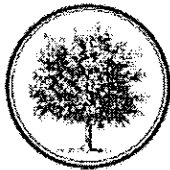
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December 22, 2017

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Buckeye's Rea Hederman: Ohio's Employment Report was Naughty and Nice

Columbus, OH - Rea S. Hederman Jr., executive director of the Economic Research Center at **The Buckeye Institute** and vice president of policy, commented on newly released unemployment data from the **Ohio Department of Job and Family Services**.

"In the last report of the year, the Ohio employment report was naughty and nice. The nice part was the unemployment rate falling three-tenths to 4.8 percent, a stable decline even as labor force participation grew. This indicates that the economy is growing fast enough to provide employment opportunities to willing workers.

"The naughty part is the payroll survey reported a decline of 3,300 private-sector jobs. The primary culprit was a sharp decline in retail trade (-6,400) as commerce continues to move online, which sparked an increase in transportation jobs (2,300).

"The numbers: The unemployment rate in Ohio fell to 4.8 percent from 5.1 percent. This is still greater than the national average of 4.1 percent. Ohioans are slightly more likely to be in the labor force (62.8 percent) than the national average (62.7 percent). The total number of job opportunities declined by 5,600 with 3,300 losses in the aviate sector. Manufacturing added jobs (2,500), while the service sector declined (5,600)."

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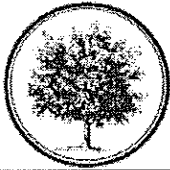
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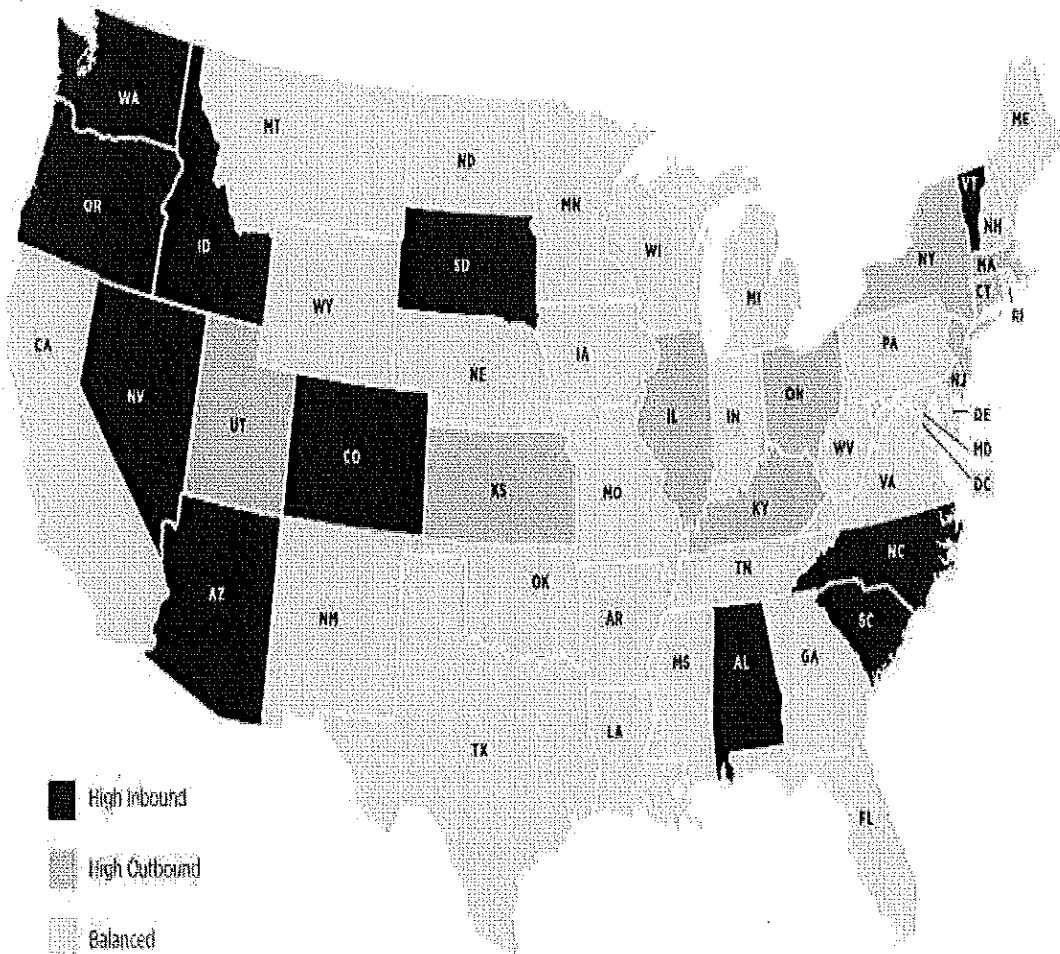
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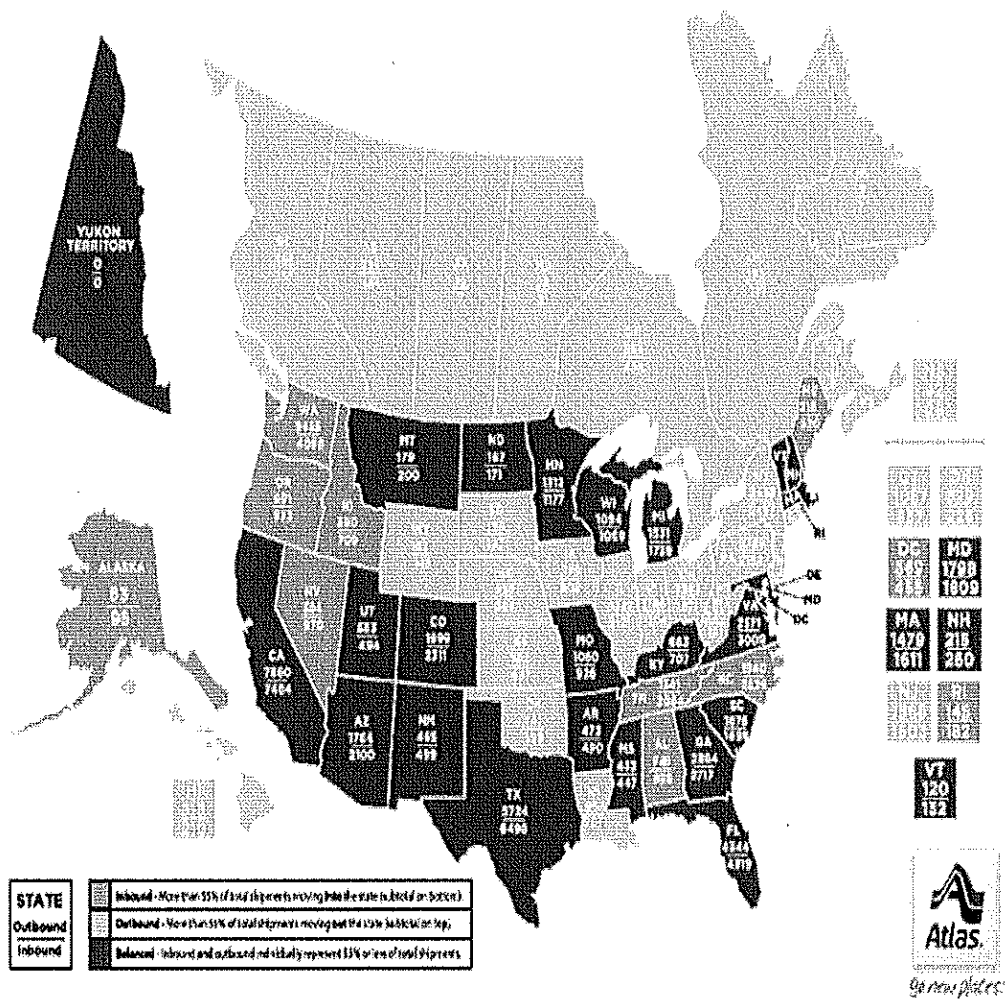
By Greg R. Lawson
January 8, 2018

According to United Van Lines **2017 National Movers Study**, Ohio ranked number 7 nationally for the most out of state moves. And an Atlas report shows that for the 10th consecutive year more people are moving out of Ohio than into Ohio.

Ohio is literally moving in the wrong direction!

United Van Lines 2017 Movers Study


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While we have come to expect this reality, it is a trend Ohio should not just accept and illustrates why Ohio needs better policies that will grow the economy and increase jobs.

According to economist and UCLA professor Michael Stoll,

"This year's data reflects longer-term trends of movement to the western and southern states, especially to those where housing costs are relatively lower, climates are more temperate, and **job growth has been at or above the national average**, among other factors."

This should not be surprising. Ohio's job growth has typically been below the national average in both good and bad times for much of the past half century. While the state has certainly climbed out of the deep job loss pit it fell into during the Great Recession, it still has yet to fully recover.

While Ohio's policymakers have made commendable efforts to improve the job climate through tax and regulatory reform, there is much work that remains, and there are multiple areas where policymakers should focus their attention in an effort to improve Ohio business climate.

Embracing reforms in each of these areas will create a better environment for job growth.

First, Ohio remains a state without full worker freedom unlike **4 of our 5 neighbors** (Indiana, Kentucky, Michigan, and West Virginia).

Second, Ohio remains home to one of the most complicated **local government structures** of any state while having the single worst local tax in America -- **the municipal income tax**. These complexities make it difficult for smaller businesses to grow, the kind of growth that leads to more jobs for Ohioans.

Finally, Ohio needs to reduce the ridiculous burden of over the top **occupational licensing** while making a commitment to stop adding additional licenses to new jobs. Our recent report, *Still Forbidden to Succeed: The Negative Effects of Occupational Licensing on Ohio's Workforce*, highlights the dire impact such licensing has lower-income and minority Ohioans as well as on the ability of workers, in general, to move for new job opportunities.

With reforms in these three key areas, we can grow our economy, increase job creation, and turn the moving vans around and bring people back to Ohio.

Greg R. Lawson is the research fellow at The Buckeye Institute.

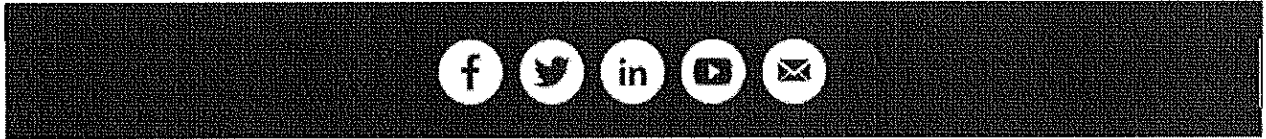
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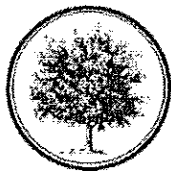
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Subject: Buckeye's Robert Alt Issues Statement Following Oral Arguments in *Husted v. Randolph*

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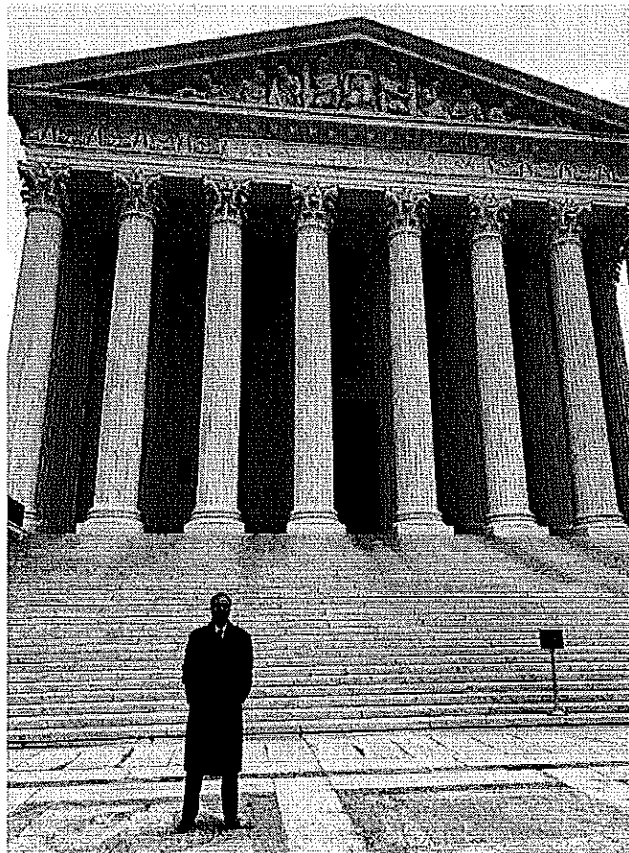
Buckeye's Robert Alt Issues Statement Following Oral Arguments in *Husted v. Randolph*

Columbus, OH - Robert Alt, president and chief executive officer at **The Buckeye Institute** and a member of the bar of the Supreme Court of the United States, issued the following statement after attending the oral arguments in *Husted v. A. Philip Randolph Institute*.

"This case hinges on the question of whether states have the authority to take reasonable steps to ensure the accuracy of their voter rolls, which is critical to ensuring the integrity of elections. In today's oral arguments, the justices' questions showed that they were deeply and appropriately concerned with assuring Ohio could continue to remove individuals who

were deceased or who had moved from its voter rolls. This is exactly what Ohio's law allows."

"As we outlined in our **amicus brief**, the U.S. Constitution is clear in giving states sovereign authority over voter qualifications. Ohio has a significant interest in making sure that the votes of Ohio residents count and are not diluted by individuals who do not currently live in the voting precinct. If the Supreme Court were to prohibit Ohio's practice of sending confirmation notices to verify the residency of inactive voters, then the state's ability to enforce its residency requirement would be severely impaired to the detriment of Ohio's voters."



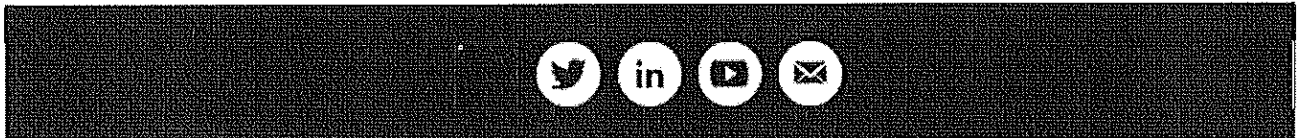
Alt takes a quick picture at the Supreme Court of the United States before heading in to hear oral arguments in *Husted v. Randolph*.

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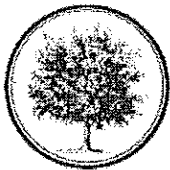
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January 10, 2018

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The Buckeye Institute Testifies on the Economic Impact of Ohio's RPS

Greg Lawson Testifies Before Ohio Senate Energy and Natural Resources Committee

Columbus, OH -- The Buckeye Institute's Greg R. Lawson testified today (see full text below or **download**) before the Ohio Senate Energy and Natural Resources Committee on the economic impact of Ohio's renewable portfolio standards (RPS), which House Bill 114 sets as voluntary goals and allows customers to opt out of the program.

In his testimony, Lawson outlined the findings of research conducted by The Buckeye Institute's **Economic Research Center** in its report, *The Impact of Renewables Portfolio Standards on the Ohio Economy*. Using a dynamic macroeconomic model, developed by economists at The Buckeye Institute, researchers looked at the impact changes to the RPS would have on the state's economy and job growth. The four scenarios being considered by the legislature at the time were (see the appendix at the end of the testimony for results):

- Scenario I assumed the RPS remained suspended at 2014-2016 levels indefinitely and that renewable energy credits prices stayed constant at 2014 levels.